United Nations S/2013/215

Security Council

Distr.: General
4 April 2013

Original: English

Letter dated 2 April 2013 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the request made by the Security Council, in its resolution 2088 (2013), for a report to be provided no later than 31 March 2013 on the situation in the Central African Republic and an assessment regarding how the United Nations Integrated Peacebuilding Office in the Central African Republic can further implement its priorities in the light of recent events.

In response to that request, I dispatched an inter-agency strategic assessment mission to the Central African Republic from 18 to 26 February 2013. As indicated by the Assistant Secretary-General for Political Affairs, Tayé-Brook Zerihoun, in his briefing to the Security Council on 25 March 2013, in the light of the fast-changing situation in the Central African Republic, some of the recommendations resulting from the strategic assessment mission may have been superseded. I would therefore like to request an extension, until 30 April 2013, for submitting the report on the situation in the Central African Republic to the Council.

(*Signed*) **BAN** Ki-moon

13-28177 (E) 050413

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United Nations S/2013/216

Security Council

Distr.: General
4 April 2013

Original: English

Letter dated 4 April 2013 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 2 April 2013 (S/2013/215) concerning the report requested by the Security Council in its resolution 2088 (2013) has been brought to the attention of the members of the Council.

The members of the Council have taken note of the request contained in your letter that the time frame for the issuance of the report be extended, and look forward to submission of the report by 30 April 2013.

(*Signed*) Eugène-Richard **Gasana**
President of the Security Council

13-28183 (E) 050413

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United Nations A/67/831–S/2013/217

General Assembly
Security Council

Distr.: General
10 April 2013

Original: English

General Assembly
Sixty-seventh session
Agenda item 105
Measures to eliminate international terrorism

Security Council
Sixty-eighth year

Letter dated 3 April 2013 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the text of the speech of the President of Azerbaijan, Ilham Aliyev, at the opening of the international conference on "Strengthening cooperation in preventing terrorism", held in Baku on 18 and 19 March 2013, and the Chair's summary of the conference (see annexes).

I would be grateful if you could have the present letter and its annexes circulated as a document of the General Assembly under item 105 of the agenda for its current session, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

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Annex I

Speech by the President of Azerbaijan at the opening of the international conference on "Strengthening cooperation in preventing terrorism" (Baku, 18 March 2013)

First of all, I want to welcome all of you to Azerbaijan and express my gratitude for the opportunity to participate in such an important conference. I express my appreciation to the United Nations Office on Drugs and Crime and to the Islamic Educational, Scientific and Cultural Organization for promoting this important initiative and conducting this conference in Baku.

In my opinion, the fact that this conference against terrorism is being held in Azerbaijan is quite symbolic because Azerbaijan has suffered from international terrorism in the past, while now our country is making a major contribution to the prevention of terrorism on a global scale. Unfortunately, in the early 1990s our country became the target of terrorist attacks by Armenian terrorist organizations. Azerbaijani citizens were subjected to numerous terrorist attacks, which claimed the lives of 2,000 innocent people. About as many people were wounded. Azerbaijan has been exposed to aggression and the occupation of its lands. As you may know, in many cases these events have been accompanied by aggressive separatism. Acts of aggressive separatism and terrorist attacks against Azerbaijan have led to the occupation of almost 20 per cent of the internationally recognized territory of our country. Moreover, Azerbaijan has been exposed to the policy of ethnic cleansing, as more than 1 million Azerbaijanis have been driven out of their homes.

As you know, the Armenian-Azerbaijani conflict over Nagorno-Karabakh is one of the biggest threats to regional stability and security. It is one of the greatest injustices in the world. The Security Council has adopted four resolutions demanding an unconditional and immediate withdrawal of Armenian troops from Azerbaijani territory. Unfortunately, these resolutions are not being implemented. The Organization for Security and Cooperation in Europe, the European Parliament, the Organization of Islamic Cooperation, the Council of Europe, the North Atlantic Treaty Organization and other international organizations have also adopted resolutions and decisions. Unfortunately, all these resolutions remain on paper. The internationally recognized territory of Azerbaijan has been under occupation for more than 20 years.

As I noted, this poses the biggest threat to international and regional stability and security. This issue must be resolved on the basis of international law; specifically, with reference to the Helsinki Final Act. The territorial integrity of Azerbaijan must be restored.

A settlement of the conflict must be based only on the norms and principles of international law. We are continuing our efforts towards a negotiated settlement of the conflict. Unfortunately, Armenia is trying to maintain the status quo as long as possible and to freeze the conflict to the maximum extent. However, this will not be possible because the world is changing and so is the regional balance. Azerbaijan is getting stronger in terms of political and economic development, and its role on the global scale is strengthening. Therefore, I am absolutely convinced that we will restore our territorial integrity. We want to achieve this as soon as possible. We strive to do this peacefully.

Our people have experienced one of the biggest tragedies of the twentieth century: the Khojaly genocide. On 26 February 1992, the Armenian armed forces attacked the residents of Khojaly. As a result of this villainous attack, 613 innocent civilians were killed, among them 100 women and 63 children. The parliaments of four countries have already officially recognized the Khojaly tragedy as an act of genocide. The process of recognizing the Khojaly events as an act of genocide is under way in other countries as well.

Azerbaijan is an active contributor to the fight against terrorism. We strongly believe that the international community should, above all, give a clear definition of international terrorism. Through political moves and practical activities Azerbaijan is trying to actively contribute to the global fight against terrorism. We firmly believe that thanks to a consolidation of efforts by the international community we can succeed in this fight.

There can be no justification for terrorism. We must not make distinctions between terrorist organizations on the basis of who is targeted by acts of terrorism. Therefore, I believe that a broad consolidation of efforts and full cooperation against terrorism will help us get the upper hand in this fight.

I believe that one of the topics that will be discussed at this conference will be how the international community can operate more efficiently in the fight against terrorism. Because we know from history, as well as from the present, that no country in the world, no matter how well it is protected, can effectively combat terrorism on its own and be completely insured against terrorist attacks.

The world is changing. Unfortunately, malicious people too take advantage of modern technologies. I believe that the mobilization of efforts could become one of the most effective tools in the fight against terrorism, including its prevention. Terrorism poses a threat to the international community, to the territorial integrity of countries, to economic and democratic development. I think that keeping this important issue on the global agenda will help us to build up our efforts in this fight, step by step. Azerbaijan is doing everything possible to ensure that the international community keeps the issue in the spotlight. For example, it is holding this conference in Baku. In addition, Azerbaijan dedicated its first presidency of the Security Council in May last year specifically to the subject of combating terrorism. For the first time, in May 2012 Azerbaijan presided over the Security Council. We declared open the ongoing discussion on the fight against terrorism. We chose this topic from among all the other issues on the agenda because we believed that focusing on this theme was more important.

If we do not effectively and selflessly struggle against terrorism, we cannot resolve any of the other issues we face. I remember the early years of our independence. At that time, the Armenians launched a series of terrorist attacks against our citizens in Baku and elsewhere. There was no stability. And where there is no stability, there can be no development. We know that from our own experience only too well. Political stability was established in Azerbaijan only in the mid-1990s. We began to develop, to attract investment, to modernize our economy and the political system and to establish a democratic system in Azerbaijan.

Unfortunately, terrorism has become part of daily life in countries affected by international terrorism. Under such circumstances, no one can talk about development. Under such circumstances, no investment is made and no reforms are

conducted. There is no democratic development because countries subjected to international terrorism have to fight back. And this has very dangerous implications. Therefore, preventing or reducing the threat of terrorism is the first major condition for development. This is why we chose this theme among all the other important topics on the international agenda and raised it at the Security Council. As a result of our initiative, a very important declaration was adopted. I believe that this declaration promotes and will continue to promote the mobilization of efforts. Without a consolidation of efforts, no country can succeed in the fight against terrorism.

I am very glad that representatives and experts from more than 50 countries and international organizations have come to Azerbaijan today. This is the international community. This is our response to such an important international issue. This is our contribution. I think that we must certainly approach this issue from different angles. We need to enhance our practical contribution to the fight against terrorism. Azerbaijan is making a strong contribution to the fight against terrorism at the international level and beyond. We must constantly keep this issue on the agenda and raise it at various international forums. At the same time, we have to use all available mechanisms to eliminate the conditions conducive to the emergence of terrorism. We need to narrow the scope of activities of terrorist organizations. We must work together to bridge the gaps that can create the conditions for people, in particular those with no education, to become involved in terrorist organizations.

This is where we come to another important issue. It is the issue of a peaceful coexistence of peoples. Unfortunately, while reading the international press, we see that sometimes attempts are made to link terrorism to Islam. There is some concern in the Muslim world over the growing Islamophobia. I think that the international community, in particular representatives of the media and non-governmental organizations, should act more responsibly and not hurt the feelings of hundreds of millions of Muslims around the world.

Terrorism has neither religion nor nationality. Regardless of the nationality and religion of individuals, all of humanity is suffering from terrorism. I think that this is one of the important issues that must always be in the spotlight. Without joining efforts, we cannot resolve this problem properly.

An important element in the global fight against terrorism is the promotion of ideas of multiculturalism. I think that given the current status of international relations, we must always pay attention to this issue. Azerbaijan is trying to ensure that multiculturalism is always on the agenda. We have conducted numerous international events, conferences and forums in Azerbaijan, where multiculturalism and related positive experiences have been discussed. We are aware of the different ideas being voiced in different societies and political circles these days. It is said that multiculturalism has failed or is moving towards a precipice. In my view, we should be very careful in making such assessments because there is no alternative to multiculturalism in this globalizing world. It is hard to imagine what alternative to multiculturalism there could be. For centuries, humankind has evolved, generations have replaced one another, but multiculturalism has mainly developed during the modern age. Therefore, we cannot back down from the results already achieved.

Azerbaijan is a country where representatives of different ethnicities and religions live in peace and friendship. This is an excellent example of how

multiculturalism is not moving towards a precipice. Multiculturalism is strengthening. It is especially important to recall that in the past we were part of other countries. And being part of these countries and empires, we communicated with people belonging to different nationalities and religions. In the Soviet Union, and even before that, a commitment to these ideas was seen as natural. But Azerbaijan has been an independent country for more than 20 years. I think that the ideas of multiculturalism and the essence of what is happening in Azerbaijan are good examples of our State policy in the years of independence and of the overall atmosphere in our society.

It is impossible to achieve such results through public policies alone. As far as we are concerned, we are very happy with the fact that the atmosphere in our society and Government policies serve the same purpose. The development of conditions conducive to peace and friendship between all nations and religions in Azerbaijan are among our goals. Our country is the home of all those who live here. This is our policy. It is a policy that will continue to be supported and that will grow further in the future. I am confident that the successes we have achieved in this area will have and are already having an impact on Azerbaijan and beyond.

One of the main issues in an effective fight against terrorism is education. As I said at the beginning of my remarks, terrorist organizations use uneducated people. They use young people who cannot read and write, they poison their brains, conduct propaganda and take young people down the wrong path.

Unfortunately, in some parts of the world, we see backwardness instead of development in terms of education and social issues. Sometimes, social injustice is an impetus to terrorism and the emergence of terrorist organizations. International terrorist organizations use all the shortcomings in society and try to attract as many people as possible in order to poison their brains. Therefore, education is key in the fight against terrorism. Azerbaijan attaches great importance and attention to education. The level of literacy in our country is 100 per cent. Our young people are educated and knowledgeable. We are open to the world. We have freedom of the media and all the other freedoms. We have a free Internet. Not all the countries of the world can be proud of having uncensored access to the Internet. Today, over 70 per cent of the population of Azerbaijan uses the Internet.

We invest heavily in information and communications technologies. At present, we have embarked on the implementation of a State programme to take broadband Internet to every city. This programme will be implemented over several years. In February, Azerbaijan launched into orbit its first telecommunications satellite and joined the group of countries with a space industry. Education, modern technologies and communication among young people from different countries can play an important role in that.

Of course, there is also the issue of poverty reduction. This factor is important in the fight against terrorism, in particular in poor countries. Referring again to our experience, I can say that we have made great strides in reducing poverty. In general, the economic development of Azerbaijan over the past 10 years looks very impressive. In the last 10 years our economy has been one of the fastest growing in the world. The gross domestic product (GDP) has grown threefold, while poverty has dropped from 50 per cent 10 years ago to 6 per cent according to the statistical indicators for 2012.

More than 1,100,000 jobs have been created in Azerbaijan, where the overall economic situation is quite stable. During the years of the global economic recession, our economy continued to grow. At present, the structure of the country's GDP is worthy of approval: the share of GDP that comes from the non-energy sector is growing rapidly — last year it was 10 per cent — and our foreign debt amounts to only 7 per cent of GDP.

International rating agencies — the three main ones being Fitch, Moody's and Standard and Poor's — have downgraded the ratings of some developed countries, while the credit rating of Azerbaijan has been upgraded. The reduction of poverty and unemployment has been a major contributor to the overall development of Azerbaijan over the last 10 years. I am confident that in the coming years we will succeed in completely eliminating poverty.

I think that in order to properly address these issues in every society and in every country, as I said earlier, we should not forget the principle of social justice. Social justice and the rule of law mean tranquillity for every society. All these are important elements for eliminating the original conditions conducive to an atmosphere of terror. In recent years, we have certainly made an effort to strengthen our independence and to reinforce our law enforcement agencies. Within Azerbaijan, we have practically eliminated all potential terrorist threats. Therefore, we are now investing more in strengthening the border infrastructure.

As I have already said, no country is fully immune from the threat of terrorism. This is especially true for countries that are not located on islands, that are surrounded by neighbours and are located in regions where peace has not been entirely secured. Therefore, investments in the border infrastructure and effective border control are our top priority issues in the fight against terrorism in the region. There are no domestic sources of terrorism in our country that can cause concern.

I am sure that there will be extensive discussions today, that opinions will be expressed on how we can organize ourselves so that we can fight more efficiently and make this world a safer place, and that an exchange of experiences will be conducted.

Once again I welcome all the guests. I do hope that you will spend your time in Azerbaijan fruitfully. I wish the conference every success. Thank you very much.

Annex II

Chair's summary of the international conference on "Strengthening cooperation in preventing terrorism, held in Baku on 18 and 19 March 2013

The international conference on "Strengthening cooperation in preventing terrorism" was held in Baku on 18 and 19 March 2013 under the patronage of the President of Azerbaijan, Ilham Aliyev. The conference, which was jointly organized by the Government of Azerbaijan, the United Nations Office on Drugs and Crime and the Islamic Educational, Scientific and Cultural Organization, was chaired by Azerbaijan.

In his opening speech, President Aliyev stressed that terrorism poses a great threat to international peace and security, to the political independence, sovereignty, territorial integrity and socioeconomic development of all States and to the promotion of human rights, fundamental freedoms and democracy. He spoke of contributions made by Azerbaijan to international cooperation in the area of counter-terrorism, mentioned the high-level meeting of the Security Council on threats to international peace and security caused by terrorist acts, held on 4 May 2012 during Azerbaijan's presidency of the Council, and called for closer international cooperation. He emphasized the importance of education, promoting multiculturalism and mutual understanding, economic development and poverty reduction in eradicating terrorism.

A high-level session was organized in which ministers, heads of international organizations and senior personalities participated.

The conference focused on the following themes: cooperation in developing and undertaking measures to address the conditions conducive to the spread of terrorism; dialogue, understanding and countering stereotypes and the appeal of terrorism; and the role of international partners in building State capacity to prevent and combat terrorism.

The participants in the conference reaffirmed all the resolutions of the United Nations on combating terrorism and reiterated their strong and unequivocal condemnation of terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever purposes. The participants underlined the importance of the full and timely implementation of the relevant United Nations resolutions and of the United Nations Global Counter-Terrorism Strategy.

It was the prevailing view among the participants that all acts of terrorism should be condemned as heinous crimes and that those who commit them must be prosecuted. In this context, they condemned the glorification of perpetrators of terrorist acts.

Given the nexus between terrorism and other threats to international peace and stability, the participants underlined that preventing terrorism requires close international cooperation and sustained efforts towards an effective, coordinated, balanced and systematic approach by the international community. The participants were unanimous in affirming that the scourge of terrorism can only be defeated by a comprehensive approach involving States, international and regional organizations and civil society.

The participants reiterated the obligation of States to refrain from providing any form of support to entities or persons involved in or associated with terrorist acts.

Armed conflicts, poverty, social exclusion, lack of education, human rights violations and attacks on religious and cultural values were mentioned as factors that could be conducive to the spread of terrorism.

In particular, it was emphasized that conflicts between States, foreign military aggression and aggressive separatism create conditions favourable for terrorism. In this respect, the participants maintained that areas of armed conflicts, particularly territories under foreign occupation that remain outside the legal constitutional order, provide a safe haven for international terrorism. The participants also expressed deep concern about the illegal economic activities taking place in these territories, which can be used for financing terrorist activities. In this regard, the participants maintained that crisis and conflict situations must be addressed decisively on the basis of norms and principles of international law, most notably of respect for the sovereignty and territorial integrity of States restoring constitutional order in conflict-affected territories.

The participants underlined the importance of addressing economic and social development and education with a view to encouraging deradicalization and diminishing the possibilities of individuals being recruited for terrorist activities.

The participants also underlined that any measure taken to combat terrorism must comply with the norms and principles of international law, including those related to human rights and international humanitarian law. They underscored, in this regard, that effective counter-terrorism measures and respect for the norms and principles of international law, including those related to human rights, fundamental freedoms and rule of law are mutually reinforcing.

The participants underscored that fighting terrorism cannot be used to justify attacks on a particular religion or culture. They expressed concern at increasing cases of blasphemy, in particular in connection with Islamophobia, and maintained the importance of engaging in joint efforts and dialogue to prevent such defamatory and erroneous concepts.

Participants reaffirmed that terrorism cannot and should not be associated with any religion, ethnicity or civilization. In this regard, the need for raising religious awareness among the public with a view to preventing conflicts on ethnic, religious and cultural grounds was emphasized.

Participants stressed the importance of having respect and understanding for religious and cultural diversity throughout the world and emphasized that continuing international efforts were needed to promote multiculturalism and broaden understanding among civilizations so as to contribute to strengthening the international fight against terrorism. In this respect, they expressed their appreciation for the positive role of the United Nations Alliance of Civilizations and other similar initiatives.

While acknowledging the importance of modern information and communications technologies, including the Internet, to promote dialogue and understanding among people, the participants expressed concern about the increase in cases of misuse of such technologies, in particular the Internet, for malign

purposes, such as recruitment and incitement, as well as for the financing, planning and preparation of terrorist activities, and stressed the importance of closer international cooperation in this regard.

The participants maintained that the absence of a clear definition of terrorism in international law does not help international efforts to combat terrorism, and underscored the importance of reaching agreement on a comprehensive convention on international terrorism.

The participants extended their sincere gratitude to President Aliyev for his patronage of the conference, for the generous hospitality and kind reception and for the facilities provided by the Government of Azerbaijan. They also extended their gratitude and appreciation to the co-organizers of the conference and stressed the importance of following up on the conference with continued political consultations and practical actions.

United Nations A/ES-10/587–S/2013/218

General Assembly
Security Council

Distr.: General
8 April 2013

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-eighth year

Identical letters dated 5 April 2013 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The situation in the Occupied Palestinian Territory, including East Jerusalem, continues to deteriorate as a result of the brutality and illegal actions of Israel, the occupying Power. The Israeli occupying forces continue to attack Palestinian civilians, including those engaged in peaceful demonstrations against the occupation, causing death and injury to them.

The latest victims of such excessive and indiscriminate use of force were two Palestinian boys, Amer Nassar, age 17, and Naji Al-Balbisi, age 18. The boys were killed on Wednesday, 3 April 2013, after being shot by the occupying forces at a checkpoint near their hometown of Anabta, east of Tulkarem, during demonstrations there following the death of the Palestinian prisoner, Maysara Abu Hamdiyeh, in an Israeli jail due to deliberate medical neglect. Further demonstrations broke out in Tulkarem on Thursday during the emotional funeral processions for Nassar and Al-Balbisi.

Demonstrations decrying Abu Hamdiyeh's death have also continued in Palestinian cities, especially in Al-Khalil, where he was from, and Palestinian prisoners continue their hunger strike in protest of his death and of Israel's constant abuse of prisoners. Large civilian protests and general strikes have been undertaken in Palestinian cities from the north to the south of the country in a collective expression of the anger, frustration and despair at the occupying Power's oppression and its illegal practices, foremost the killing of civilians, imprisonment of thousands of Palestinians and rabid colonization of the Palestinian land. The Israeli occupying forces have persisted in attacking such demonstrations, including with live ammunition, as well as attacking mourners during funeral processions for Palestinians killed by the occupying Power, denying families the right to bury their dead in dignity. Even the peaceful act of planting trees during the Palestinian commemoration of "Land Day" on 30 March was responded to with force by Israel, causing injury to dozens of civilians.

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Israel's violent repression of protests has also involved the arrest and detention of more Palestinians, including children, both during demonstrations and in military raids, particularly against those towns and villages engaged in protest. Such military aggression, in addition to the extreme lawlessness and terror being perpetrated by Israeli settlers against the Palestinian people, is stoking already-high tensions and threatens to fuel another deadly cycle of violence.

We are thus compelled to draw urgent attention to this serious situation and to call on the international community to uphold the rule of law and human rights. The international community, including the Security Council, must demand that Israel, the occupying Power, cease its military aggression against the Palestinian people, respect their human rights, including the right to peaceful protest, and comply with all of its legal obligations under international law. The continued failure to hold Israel accountable for its crimes and violations risks the total destabilization of the situation on the ground, with all of its attendant consequences, including destruction of the fledgling regional and international efforts to revive the prospects for peace. A strong, unequivocal message must be sent by the international community that it rejects Israel's illegal policies, intransigence and constant thwarting of peace efforts and is determined to achieve a peaceful and just solution to this conflict in accordance with international law and the relevant resolutions of the United Nations.

This letter is in follow-up to our previous 459 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 April 2013 (A/ES-10/586-S/2013/206), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations

United Nations A/67/827–S/2013/219

General Assembly
Security Council

Distr.: General
8 April 2013

Original: English

General Assembly
Sixty-seventh session
Agenda item 43
Question of Cyprus

Security Council
Sixty-eighth year

Letter dated 5 April 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I transmit herewith the recorded infringements of international air traffic regulations and violations of the national airspace of the Republic of Cyprus by Turkey, committed during the month of March 2013 (see annex). I have the honour to draw your attention to the systematic infringement by Turkey of the sovereignty and territorial integrity of the Republic of Cyprus by blatantly violating international rules in a way that seriously jeopardizes international aviation safety in the region.

I should be grateful if you would circulate this letter and its annex as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Nicholas **Emiliou**

13-28468 (E) 100413

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Annex to the letter dated 5 April 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Air violations

Date	*Time*	*Nature of violation*
1 March 2013	1102 to 1124	One CN-235 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia flight information region (FIR) and the national airspace of the Republic of Cyprus without diplomatic permit or contacting the Nicosia area control centre (ACC).
	1415 to 1426	One CN-235 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
4 March 2013	0732 to 0758	Two KC-135R and five F-16 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1313 to 1337	One KC-135R Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
5 March 2013	1557 to 1625	One KC-135R Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
7 March 2013	1004 to 1022	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1007 to 1027	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1241 to 1359	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1245 to 1258	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the

Date	*Time*	*Nature of violation*
		national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1251 to 1305	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1532 to 1721	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
10 March 2013	1528 to 1548	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1534 to 1556	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1634 to 1651	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1638 to 1655	One C-130 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
11 March 2013	0957 to 1025	One Cougar Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1418 to 1615	One Cougar Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
13 March 2013	1005 to 1207	One AB-212 Turkish helicopter infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1057 to 1120	One B-200 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1313 to 1429	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1541 to 1555	One B-200 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
14 March 2013	1210 to 1519	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
16 March 2013	1436 to 1541	One Turkish military helicopter infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
17 March 2013	0813 to 0834	One KC-135R Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
18 March 2013	0824 to 0845	One KC-135R Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1219 to 1504	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1357 to 1440	One KC-135R Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1440 to 1510	One KC-135R and five F-16 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
19 March 2013	1037 to 1159	One AB-212 Turkish helicopter infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1343 to 1627	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1507 to 1555	One Cougar Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
20 March 2013	1100 to 1150	One Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1226 to 1423	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1740 to 1920	One Turkish military helicopter infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
21 March 2013	1055 to 1150	One Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1142 to 1219	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1151 to 1207	One C-160 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1244 to 1446	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1524 to 1534	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1654 to 1710	One C-160 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	2314 to 2330	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
22 March 2013	1458 to 1710	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1507 to 1615	Two F-16 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1955 to 2310	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
22-23 March 2013	2340 to 0302	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
23 March 2013	0359 to 0559	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1241 to 1247	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
25 March 2013	1250 to 1527	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
27 March 2013	0834 to 1000	One Cougar Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1233 to 1543	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.

Date	*Time*	*Nature of violation*
	1307 to 1401	One Cougar Turkish military helicopter infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
28 March 2013	1243 to 1447	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
29 March 2013	1347 to 1458	One CN-235 Turkish military aircraft infringed international air traffic regulations by entering the Nicosia FIR without diplomatic permit or contacting Nicosia ACC.
	1405 to 1439	One CN-235 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.
	1547 to 1606	One CN-235 Turkish military aircraft infringed international air traffic regulations and violated the national airspace of the Republic of Cyprus by entering the Nicosia FIR and the national airspace of the Republic of Cyprus without diplomatic permit or contacting Nicosia ACC.

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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2044 (2012), by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2013 and requested the Secretary-General to report to it on the situation in Western Sahara before the end of the mandate period. The present report covers developments since my report dated 5 April 2012 (S/2012/197) and describes the situation on the ground, the status and progress of the negotiations and the existing challenges to the Mission's operations, as requested by the Council in its resolution 2044 (2012).

II. Recent developments in Western Sahara

2. Within the Territory, largely peaceful demonstrations by Saharan protesters occurred throughout the reporting period in Laayoune and other major towns. They were usually unannounced, small in scale and swiftly dispersed by Moroccan security forces. At times, the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) alleged that disproportionate force was used.

3. In some instances, protesters drew attention to aspects of the exploitation of natural resources of the region that they considered contrary to international law. In others, they raised concerns regarding the issue of the provision of social services. In Dakhla and Laayoune, fisherfolk and current and former employees of the Boucraa phosphate mines demanded improvements in labour conditions. In October 2012, 11 Saharans, including four women, entered the MINURSO team site in Smara west of the berm demanding increased social assistance. Several hours later, the group was persuaded to leave the compound after the authorities promised to look into its demands. Five members of the same group re-entered the team site during the visit of my Personal Envoy in March 2013, requesting to meet him. Again, they were persuaded to leave.

4. Other protests took the form of expressions of support for self-determination or of solidarity with Saharans detained after the Gdim Izik events of November 2010 and the Dakhla incidents of September 2011. During one sit-in, protesters sought to force their way into the Laayoune regional office of the Moroccan National Human Rights Council, but were dispersed by Moroccan security forces. In

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February 2013, the trial of the suspects in the Gdim Izik disturbances, and the subsequent verdict, saw increased police deployments in Laayoune, Dakhla and Smara, in addition to street tensions, including pro-Frente Polisario graffiti in some neighbourhoods.

5. Demonstrations on a somewhat larger scale, involving between 50 and 100 participants, occurred in Laayoune on the occasion of the visits to Western Sahara of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Méndez, in September, the Under-Secretary-General for Peacekeeping Operations, Hervé Ladsous, in October, and my Personal Envoy to Western Sahara, Christopher Ross, in November and March. In November, there were also some disturbances on the anniversary of the dismantling of the Gdim Izik camp. Local human rights organizations regularly reported excessive use of force against demonstrators by Moroccan security forces. The demonstrations cited above are those of which MINURSO had direct or indirect knowledge. Others were reported, mainly in the pro-Frente Polisario media, but could not be verified.

6. On several occasions, demonstrations in reaction to developments in the Territory or commemorating specific events, such as the dismantling of the Gdim Izik camp, were organized in the refugee camps south of Tindouf.

7. The Under-Secretary-General for Peacekeeping Operations visited Western Sahara and the refugee camps near Tindouf in October 2012. Accompanied by my Special Representative, Wolfgang Weisbrod-Weber, he held consultations with the Moroccan and Frente Polisario authorities on MINURSO operations, confidence-building measures and regional security challenges.

8. My Personal Envoy visited MINURSO and the region late in October 2012. After meetings in Rabat, he travelled to Laayoune and met a wide range of interlocutors, including administrative authorities and human rights and civil society organizations, in the company of my Special Representative. The Mission also supported other aspects of his visit, which took him to MINURSO team sites in Mahbas and Tifariti, as well as to the refugee camps near Tindouf, where he met the Secretary-General of Frente Polisario, Mohamed Abdelaziz, and other Frente Polisario authorities.

9. In October 2012, my Special Representative visited Algiers and held consultations with the Algerian authorities and diplomatic representatives of the Group of Friends of Western Sahara. In March 2013, he met the Mauritanian authorities to discuss issues of mutual concern.

10. The issue of human rights was the focus of visits by several human rights organizations during the period. In August 2012, a delegation from the Robert F. Kennedy Centre for Justice and Human Rights visited Western Sahara and the camps near Tindouf. Its members met MINURSO, Moroccan and Saharan human rights organizations, civil society representatives and Moroccan and Frente Polisario authorities. In September 2012, members of the Leadership Council for Human Rights also visited the Territory and met local interlocutors and my Special Representative.

11. Also in September 2012, the Special Rapporteur on torture visited the Territory west of the berm at the invitation of the Government of Morocco. He held meetings with the Moroccan authorities, the judiciary, civil society members, the regional office of the Moroccan National Human Rights Council, United Nations agencies

and victims of torture and their families. In Laayoune, the Special Rapporteur met my Special Representative to discuss his work and the mandate of MINURSO.

12. Late in September 2012, a delegation from the African Commission on Human and Peoples' Rights visited the refugee camps near Tindouf, where it met MINURSO and the United Nations agencies working in Tindouf. It was unable to visit Western Sahara itself.

13. On occasion, the Moroccan authorities denied access to the Territory to international visitors, most recently a delegation of members of the European Parliament travelling in their private capacity in March 2013.

14. On 17 February 2013, the Permanent Military Tribunal of the Royal Armed Forces in Rabat pronounced its verdict in the trial of 25 Saharan civilians. Nine people were sentenced to life imprisonment. The men were charged in relation to violence during and after the dismantling of the Gdim Izik protest camp near Laayoune in November 2010, which resulted in the death of 11 members of the Moroccan security forces and the mutilation of corpses. Two Saharans, including a minor, were also killed during the events. Local sources stated that many of the accused were known for their political or human rights activism or for having participated in negotiations with the Moroccan authorities in the run-up to the dismantling of the camp.

15. In December 2012, as part of the regionalization process launched by King Mohammed VI, the President of the Moroccan Economic, Social and Environmental Council published a preliminary and critical assessment of the current development model of the Territory, including governance and issues of transparency and accountability, in addition to human rights. A final report is expected by October 2013.

16. Nearly a year after the European Parliament rejected the extension of the 2007 Fisheries Partnership Agreement between the European Union and Morocco, negotiations resumed in the final quarter of 2012 amid vocal opposition from Frente Polisario and other organizations. As negotiations continued for its renewal, the Secretary-General of Frente Polisario wrote to me condemning the continuing exploitation by Morocco of the resources of the Territory.

III. Activities of my Personal Envoy

17. The period from March 2012 to March 2013 was marked by a four-month pause in the mediation process and by serious unrest in the Sahel and beyond. The hiatus in the negotiating process owing to the withdrawal by Morocco of confidence in my Personal Envoy in May 2012 came to an end on 25 August during a telephone conversation that I had with King Mohammed VI in which I clarified the mandates of my Personal Envoy and of MINURSO. Following several bilateral discussions with the parties and the neighbouring States in New York, my Personal Envoy resumed his mediation activities with a trip to the region in October and November 2012, during which he visited Western Sahara for the first time. He also visited the capitals of the Group of Friends of Western Sahara (i.e., Madrid, Moscow, London, Paris and Washington, D.C.), in addition to those of Germany and Switzerland, from 28 January to 15 February 2013 to gather international support for a new approach to move the negotiating process beyond the current stalemate.

A. Consultations in the region and first visit to Western Sahara

18. From 27 October to 15 November 2012, my Personal Envoy undertook long-delayed regional consultations followed by visits to Madrid and Paris for bilateral discussions with the newly elected Governments. At each stop, senior interlocutors reiterated their full support for the United Nations mediation efforts and for my Personal Envoy, in addition to their readiness to cooperate with him. In contrast to previous trips, my Personal Envoy sought to widen his contacts beyond official interlocutors to include civil society leaders, including youth, student and women's groups and academics, as well as parliamentarians and political party leaders.

19. In Rabat, my Personal Envoy was received by King Mohammed VI and met members of the Government, parliamentarians and political party leaders. All expressed strong frustration that five years of direct negotiations had not led to the implementation of the Moroccan autonomy proposal. They also expressed their strong hope that my Personal Envoy's efforts to promote further development of bilateral relations with Algeria would succeed, thus helping to improve the atmosphere of the negotiating process.

20. My Personal Envoy sought to clarify his mandate as I had set forth and the guidance that the Security Council had provided, highlighting his neutrality regarding the two proposals and his commitment to an unbiased process. He further explained that the international community remained divided on the Western Sahara question and that the current negotiating framework, governed by Chapter VI of the Charter of the United Nations, did not permit the United Nations to impose a solution on either party.

21. From 31 October to 3 November, my Personal Envoy visited Western Sahara for the first time since his appointment in 2009. Accompanied by my Special Representative, he met local officials, Saharans reflecting both pro-autonomy and pro-independence views, Moroccan and Saharan human rights activists and MINURSO staff and observers. His visit confirmed that Saharan society, while having a strong tribal and cultural identity, is politically divided. Even after meeting a wide range of civil society representatives, it was not possible to estimate either the extent or the depth of pro-autonomy or pro-independence sentiments among the populace. The Personal Envoy further sensed a growing appetite to broaden direct contacts between the various components of Saharan society, in particular among women and young people, including by expanding the existing programme of seminars sponsored by the Office of the United Nations High Commissioner for Refugees (UNHCR). The provision of support by MINURSO, including through reporting, to my Personal Envoy has become even more relevant in the light of his visits to Western Sahara and his increased interactions with the population.

22. In the refugee camps near Tindouf, the Secretary-General of Frente Polisario expressed strong frustration at the Organization's inability to organize a referendum on self-determination. With regard to the situation in Mali, he emphasized that Frente Polisario was firmly opposed to the activities of terrorist and criminal groups and had implemented measures to prevent recruitment in the camps. In meetings with youth, student and women's groups, my Personal Envoy found that the second and third generations were frustrated not only by the lack of progress in the negotiations, but also by the absence of employment opportunities. Many expressed support for radical courses of action such as resuming hostilities against Morocco or

requesting MINURSO to recognize its impotence and depart. Others warned that those frustrations made young people tempting recruitment targets for criminal and terrorist networks. In all his meetings, my Personal Envoy urged restraint and patience, pointing out that such actions would cause great harm. As in the Territory itself, he found great interest in increased contacts between the separated parts of the Saharan population.

23. In Algiers, the President of Algeria, Abdelaziz Bouteflika, reiterated that, while Algeria was not a party to the Western Sahara conflict, any solution that did not provide for a multi-option referendum was not a solution. That said, he agreed to allow his Government to work informally with my Personal Envoy to help to advance the negotiations. In meetings with parliamentarians representing a broad spectrum of political parties, my Personal Envoy encountered full agreement with the views that the President had expressed.

24. In Nouakchott, the Prime Minister and the Minister for Foreign Affairs reiterated the "positive neutrality" of Mauritania in the Western Sahara conflict, adding that it remained ready to assist the United Nations mediation efforts in any appropriate way. While in Nouakchott, my Personal Envoy also received several Saharan dissidents critical of the current Frente Polisario leadership.

25. A common thread at all stops was concern at the security and stability of the Sahel and beyond and growing fears about the fragile situation of young people in the refugee camps near Tindouf and in the Territory. Those concerns did not, however, prompt a new readiness to work seriously to resolve the conflict. The parties continued to maintain what my Personal Envoy has previously characterized as "an unyielding adherence to mutually exclusive positions" and no progress on the core issue of the final status of the Territory was registered. The tense regional context has rendered positions more rigid and raised mutual suspicions between neighbours. My Personal Envoy, with the support of the international community, has repeatedly urged the parties to recognize that the passage of time can only worsen the situation.

26. In addition to discussions on the Western Sahara negotiating process, and as part of the mandate that I had given to him, my Personal Envoy thoroughly discussed bilateral relations between Morocco and Algeria while in those countries. Both leaders expressed a willingness to isolate the improvement of relations from their two countries' differences on the Western Sahara issue and to continue improving their relations by building on the series of bilateral ministerial visits that had already taken place. At the suggestion of my Personal Envoy, they engaged in an exchange of oral messages through him on the subject and identified areas in which bilateral cooperation should be enhanced, including the need for increased cooperation on security threats, illegal immigration and drug trafficking, in addition to the desirability of moderating official media statements.

27. By the end of the trip, my Personal Envoy had obtained confirmation of the willingness of both parties and the neighbouring States to continue to remain engaged in the negotiating process led by the United Nations, including through shuttle diplomacy in the region. It was agreed with the parties and the neighbouring States that convening yet another round of informal talks in the immediate future would not advance the negotiating process, given that the parties remained strongly attached to their respective proposals and had yet to discuss possible compromises.

28. After his regional consultations, my Personal Envoy visited Madrid and Paris for bilateral discussions. In both capitals, he stressed the urgency of solving the Western Sahara conflict in the light of the worrisome regional developments. He conveyed the same message to the Security Council during his briefing on 28 November 2012.

B. Consultations in capitals of the Group of Friends, Germany and Switzerland

29. As announced to the Security Council during his briefing on 28 November 2012, my Personal Envoy undertook a trip to the capitals of the Group of Friends of Western Sahara from 28 January to 15 February 2013. He also took the opportunity to visit Berlin and Bern for bilateral consultations and met the United Nations High Commissioner for Human Rights and senior UNHCR staff in Geneva. The trip was aimed primarily at building additional international support for the Western Sahara negotiating process in preparation for the next phase of engagement with the parties and the neighbouring States.

30. Expanding on the ideas presented in my report of 2011 (S/2011/249, para. 120), my Personal Envoy engaged his interlocutors in a discussion on options for yet another approach to move the negotiating process beyond the current stalemate and improve the atmosphere for negotiations.

31. With regard to the negotiating process, he put forward three modest ideas to be put to the parties and the neighbouring States during a visit to the region in March and April 2013:

(a) First, he would hold bilateral consultations with each party and ask each to recognize that negotiations imply give and take and that the spirit of compromise must prevail. On this basis, he would ask each party to offer specific ideas to him on the nature and elements of a compromise settlement. That could lead to a period of shuttle diplomacy and eventually enrich the negotiating process;

(b) Second, he would ask each party to begin thinking about how to present its proposal in a new way at such time as a further face-to-face meeting is held, i.e., by explaining the benefits and advantages of that proposal for the other party;

(c) Third, he would ask the parties to accept that they will not reach an agreement on the final status of Western Sahara in the short term and to agree that they can discuss practical aspects of governance of the Territory in a systematic way without prejudice to its final status at such time as a further face-to-face meeting is held.

32. With regard to the atmosphere surrounding the negotiating process, he presented three additional ideas:

(a) First, he would renew his efforts to encourage Algeria and Morocco to develop their bilateral relations further, building on the ministerial visits accomplished to date and on the priority sectors identified in exchanges of messages between the two leaders and during his most recent visit to the region;

(b) Second, he would encourage UNHCR to expand its programme of seminars to accommodate the yearning for more contact between Saharans in the Territory and in the refugee camps, in particular among women and young people;

(c) Third, as the members of the Arab Maghreb Union continue their efforts to revitalize the regional organization, he would encourage them to explore the role that it might be able to play in helping to find a solution to the Western Sahara conflict, which remains the major conflict of the region.

33. My Personal Envoy found unanimous support for both sets of ideas.

34. All the Governments consulted raised serious concern over the risk that the fighting in Mali could spill over into the neighbouring countries and contribute to radicalizing the refugee camps. Intense interest in finding a solution to the Western Sahara conflict and avoiding the resumption of hostilities was expressed, with one Government calling the situation in the camps a "ticking time bomb". When asked whether the conflict in Mali could provide a new impetus for the Western Sahara negotiations, my Personal Envoy explained that, while that had been his hope, the parties directly and indirectly concerned with the conflict had to date not reacted in that way. He urged the Governments to use their contacts to encourage serious negotiations.

C. Second visit to the region

35. As agreed with the parties and the neighbouring States, my Personal Envoy visited Nouakchott, Rabat, Laayoune, Dakhla, the refugee camps near Tindouf and Algiers during the latter half of March 2013 and early in April with valuable and much-appreciated transport support from the Government of Spain. The results of the visit will be described orally to the Security Council.

D. Next steps

36. In the coming months, my Personal Envoy will again visit the region to begin his bilateral consultations with the parties and, if justified by their results, engage in a period of shuttle diplomacy. The timing and modalities for holding a further face-to-face meeting of the parties and the neighbouring States will depend on the result of that process.

IV. Activities on the ground

A. Military activity

37. As at 15 March 2013, the military component of MINURSO stood at 213 personnel, including the Force Commander, military clerks and medical unit officers, against the authorized strength of 231. The Mission currently has six female military observers, from Croatia, Ghana, Ireland and Mongolia. There are also four female medical personnel — two doctors and two nurses — with the medical unit from Bangladesh. I reiterate my wish to see further deployments of female officers by troop-contributing countries, both for operational reasons and to improve the Mission's gender balance. During the reporting period, the average monthly number of French-, Spanish- and Arabic-speaking military observers in the Mission was 17, 19 and 33, respectively.

38. The military component remains deployed at nine team sites and at liaison offices in Tindouf and Dakhla. From 16 March 2012 to 15 March 2013, MINURSO conducted 9,214 ground patrols and 589 aerial patrols, including air reconnaissance, to visit and monitor units of the Royal Moroccan Army and the military forces of Frente Polisario for adherence to the military agreements. MINURSO maintained good relations and communications with the Royal Moroccan Army and with Frente Polisario, notwithstanding the divergences of opinion that remain between the Mission and each party regarding compliance with military agreement No. 1, in particular concerning the status of long-standing violations.

39. MINURSO observed and recorded 42 general violations of military agreement No. 1 by the Royal Moroccan Army, compared with 25 recorded during the previous reporting period. The violations included and continued to relate to increases in the length of trenches, the construction of new observation posts, tactical reinforcement and the construction of an antenna tower for a global system of mobile communication in the restricted area. Three freedom of movement violations were confirmed. Long-standing violations increased by seven. They related to the reinforcement of existing observation posts and increases in the length of trenches. During the reporting period, 12 new observation posts were built, bringing the number of solid observation posts that have been considered, since 2009, to be a temporary deployment line 15 km west of the berm (S/2009/200, para. 21) to 326. The number of stone walls remained unchanged, while the length of two was increased. Two watchtowers were changed and a radar replaced. MINURSO continued to insist that the Royal Moroccan Army correct the violations, which it did on several occasions.

40. In official correspondence, the Royal Moroccan Army argued that specific dispositions qualified by MINURSO as violations under military agreement No. 1 were purely civilian in nature or justified by existing illegal activities and security challenges in the region. MINURSO has argued that, although the obligation to take pre-emptive action in the light of regional security challenges is understandable, such issues can be pursued only within the framework of the military agreement. In that regard, MINURSO continues to encourage the parties to enhance communication and confidence in order to address common challenges.

41. Four general violations by the Frente Polisario military forces were confirmed, compared with seven during the previous reporting period. They related to Frente Polisario soldiers and equipment entering the buffer strip.

42. The general assessment of MINURSO is that the aforementioned violations by both parties do not jeopardize the ceasefire. Rather, over the years, they have resulted in a gradual shift in the military balance between the parties.

43. MINURSO received and reviewed 399 requests from the Royal Moroccan Army regarding the construction or maintenance of buildings and facilities inside the restricted area and the destruction of mines and explosive remnants of war. MINURSO approved 373 requests and rejected 23. The remainder are being investigated. MINURSO received 11 requests from Frente Polisario regarding construction, of which it approved 9. The remainder are being investigated.

44. MINURSO received 418 notifications from the Royal Moroccan Army concerning firing and tactical training exercises, the movement of troops, equipment and weapons, VIP and maintenance helicopter flights, and the destruction of mines

and explosive hazards in the area of limited restrictions. MINURSO received three notifications from Frente Polisario concerning firing and tactical training exercises, the movement of troops, equipment and weapons, and visits in the area of limited restrictions. MINURSO monitored all the notified activities.

45. Military observers on the west side of the berm regularly visit 570 units and monitor 29 training areas, 316 observation posts along a second deployment line west of the berm and the several long-standing wall and trench violations in the Bir Gandouz subsector. East of the berm, the military observers regularly visit 93 units, eight training areas and 38 observation posts. The military observers also monitor the security situation to keep the Mission abreast of illegal activities that could affect the safety of the observers.

46. MINURSO monitored demonstrations that occurred in close proximity to the east side of the berm. In one case, five warning shots were fired by a Royal Moroccan Army soldier in response to the burning of a Moroccan flag and stone throwing by demonstrators. To help to calm the situation and to prevent incidents, MINURSO increased patrolling and liaised with the parties, including regional commanders and relevant political interlocutors.

47. Within its capabilities, the military component provided medical support for the UNHCR programme on confidence-building measures and emergency medical services, including casualty evacuation, to the local population on a humanitarian basis. Through its medical unit from Bangladesh, the Mission also assisted with three casualty evacuations and covered 45 confidence-building measure flights during the period.

48. With the increase in monitoring challenges relating to the growth in military dispositions west of the berm in response to regional threats, the MINURSO military component needs to be strengthened if it is to perform effectively. This need is compounded by the reduction of the Mission's fleet of air assets for two consecutive fiscal years. It is assessed that 15 additional military observers are necessary to enable the Mission to monitor the ceasefire and any threats to it more effectively. As recalled by my predecessor in his report of 20 October 2004 (S/2004/827), the Security Council initially authorized an overall troop ceiling of 1,651, including 550 military observers, to enable MINURSO to perform its mandated tasks. Given that it has not proved possible to implement the settlement plans, the MINURSO military component has never reached its originally authorized strength. Adjustments to the authorized strength over the years, most recently by the Council in resolution 1056 (1996), have been conditioned upon the premise that they would not impair the Mission's operational effectiveness in the field. In the light of the changing needs on the ground, MINURSO requires 15 additional military observers, at the earliest opportunity, to enable the Mission to better implement its mandated tasks, bringing the strength to 245 military observers.

B. Substantive civilian activity

49. My Special Representative maintained regular contacts with the parties to discuss the Mission's implementation of its mandate and operational matters and to employ his good offices to promote the resolution of issues relating to the ceasefire and confidence-building measures. He held several consultations with and briefed the Moroccan and Frente Polisario authorities, visiting diplomatic delegations and

officials representing France, Spain, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America, the African Union and international non-governmental organizations, in addition to officials in Algeria and Mauritania, about the Mission's mandate and challenges. In Laayoune and in Tindouf, my Special Representative visited or met women's groups and organizations working in development or related domains. He also established regular contacts with the regional offices of the Moroccan National Human Rights Council in Laayoune and Dakhla.

50. The Mission's political office maintained regular and constructive engagement with the respective Moroccan and Frente Polisario coordinators with MINURSO. All meetings and interactions of the Mission were conducted in full transparency with the respective coordinators. During the visit of my Personal Envoy, his meetings with local civil society and human rights organizations were held at MINURSO headquarters, where he was accompanied by my Special Representative. That was the only occasion on which the MINURSO leadership met local civil society organizations other than the aforementioned women's groups.

51. During the reporting period, MINURSO did its best to improve the scope of its reporting to the Security Council and to the Secretariat and in support of my Personal Envoy, focusing on local developments and situational analysis, drawing on open-source information and maintaining fruitful contacts with the coordinators. To the extent possible, the substantive civilian staff reported on media-based statements and reports on political developments in the Mission's area of responsibility and in the region.

52. My Special Representative also visited Dakhla for consultations with local interlocutors, including the regional representatives of the Moroccan National Human Rights Council and the Royal Moroccan Army. In addition, MINURSO political affairs officers were sent on missions to Dakhla and Smara, which proved useful. The officers faced no restrictions in relation to those movements.

53. My Special Representative visited the refugee camps near Tindouf six times, interacting on each occasion with the leadership of Frente Polisario. He made several visits to the team sites east and west of the berm to consult MINURSO team site commanders and observers, to take stock of security precautions at a time of increased security threats and to interact with local counterparts of the Mission. In Tindouf, the MINURSO liaison office continued its good working relationship with Frente Polisario.

C. Mine action

54. The widespread contamination caused by landmines and explosive remnants of war throughout Western Sahara continues to endanger the lives of the local population, MINURSO military observers and logistical teams. During the reporting period, nine accidents resulted in injuries to two civilians on the east side of the berm. The Royal Moroccan Army reported 25 accidents in which 3 people were killed and 30 injured on the west side of the berm. MINURSO continues to take steps to ensure the safety of United Nations personnel with the support of the Mission's Mine Action Coordination Centre.

55. Humanitarian mine action activities east of the berm continued to be supported by the Mission and implemented according to international mine action standards through a partnership between an international non-governmental organization, Action on Armed Violence, and a commercial contractor, Mechem. The Mission continued to make significant progress in reducing the threat and impact of landmines and explosive remnants of war. Since its inception in 2008, the Mine Action Coordination Centre has reduced cluster strike areas by 85 per cent, increasing access to water and saving lives. Given that the threat of cluster strike areas had been largely reduced by the beginning of the reporting period, the Centre began to focus its efforts mainly on minefield clearance, deploying a mechanical clearance team to 1 of the 38 known minefields east of the berm in April 2012. During the reporting period, demining teams destroyed 401 items, including cluster bombs units, unexploded ordnance and anti-tank and anti-personnel mines.

56. The Royal Moroccan Army, which conducts demining operations to the west of the berm, reported the clearance of more than 199 km^2 of land and the destruction of 1,901 items, including cluster bomb units, anti-tank and anti-personnel mines, small arms ammunition and unexploded ordnance. The extent of landmines and explosive remnants of war to the west of the berm remains unknown.

57. The provision of landmine safety briefings and refresher training for all MINURSO personnel also continued to be a key role of the Mine Action Coordination Centre, which, by the end of January 2013, had provided 78 landmine safety briefings to 231 United Nations personnel in the Mission. In addition, 108 United Nations military observers received landmine safety refresher training courses at MINURSO team sites on both sides of the berm.

58. Effective cooperation also continued between the Mine Action Coordination Centre and both the Royal Moroccan Army and Frente Polisario. The Centre began to meet both parties on a quarterly basis to discuss information-sharing, demining methodologies, mine risk education and victim assistance interventions.

D. Safety and security

59. The Mission's area of responsibility was not immune from the repercussions of regional instability. Since early 2012, when armed elements linked to Al-Qaida seized northern Mali, concern over security and safety has increased.

60. The geography of the region has always made it difficult to tighten border controls and prevent infiltrations. The size, difficulties and exposure of neighbouring Mauritania have increased risks of penetration by hostile elements who may strike deep towards the east side of the berm. For their part, the Moroccan authorities have expressed concern about deteriorating security in the region and the need to re-evaluate military agreement No. 1 in that light.

61. The three humanitarian aid workers kidnapped from the refugee camps south of Tindouf in October 2011 by the Movement for Unity and Jihad in West Africa, an armed group, were released in July 2012. Nonetheless, concerns about kidnapping remain high. In May 2012, the Frente Polisario military authorities expressed concern for the safety of MINURSO personnel. Additional security measures have since been taken in collaboration with the Frente Polisario authorities to provide

escorts for military observers and humanitarian agencies and to deploy additional troops around United Nations team sites east of the berm.

62. In July 2012, the Government of Spain temporarily withdrew 17 European aid workers from the Tindouf area for security reasons. Responding to numerous security concerns, MINURSO completed construction work to improve security in and around all team sites east of the berm in the Territory. In Tindouf, a recently established joint security coordination committee, bringing together MINURSO, the United Nations agencies and Frente Polisario in a security forum, provides a pool of critical information for evaluating the security situation and measures in place and deciding on mitigating measures. The Frente Polisario military authorities reinforced security measures around MINURSO team sites east of the berm, as recommended following a joint security assessment carried out in April 2012 by the Department of Safety and Security and the Department of Peacekeeping Operations. The Royal Moroccan Army also strengthened security around the team sites west of the berm.

63. Since late in 2012, the "Saving Lives Together" security enhancement initiative by MINURSO and the Department of Safety and Security, funded by the Directorate General for Humanitarian Aid and Civil Protection of the European Commission and the Spanish Agency for International Development Cooperation through UNHCR, has sought to foster a culture of security among the participating non-governmental organizations operating in the refugee camps near Tindouf through the implementation of a broad programme that encompasses improved physical security, risk assessment and emergency response capacity. This will permit humanitarian organizations to better manage their own security amid increased regional risks and thus ensure their continued ability to implement their programmes on the ground.

64. No visible or palpable threat to the security of United Nations staff has been reported west of the berm. Given the unpredictable nature of security challenges in the region, however, vigilance is critical. Exercises simulating emergency evacuations were conducted at some team sites as part of the Mission's efforts to enhance the readiness of the military observers.

E. Persons unaccounted for in the conflict

65. The International Committee of the Red Cross continued to work with the parties and families concerned in pursuing the question of persons still unaccounted for in relation to the conflict.

F. Assistance to and protection of Saharan refugees

66. UNHCR enhanced its protection presence and monitoring in the refugee camps near Tindouf through direct interaction with the refugees and their communities, constructing new field offices in all the camps to bring services closer to them. UNHCR, the World Food Programme (WFP), the World Health Organization and the United Nations Children's Fund (UNICEF) continued to provide material assistance to refugees in the camps, working in close coordination with the Directorate General for Humanitarian Aid and Civil Protection, the Spanish Agency for International Development Cooperation and several international and local

non-governmental organizations. UNICEF also strengthened its operational capacity, adding two staff permanently deployed in Tindouf to allow for closer monitoring, improved coordination with other United Nations entities and enhanced participation in joint assessments of HIV/AIDS, water, sanitation and hygiene and other programmes.

67. During the reporting period, the main areas of support comprised protection, community services, education, water supply, sanitation and hygiene, health, food and nutrition, shelter, energy, transport and logistics. Pending their registration, WFP continued to provide 90,000 general food rations and 35,000 supplementary general food rations to the most vulnerable refugees each month, while UNHCR added complementary food. The two agencies also conducted 45 general food basket distribution visits to food distribution points in the camps each month.

68. UNHCR and WFP, through their implementing partner, the Algerian Red Crescent, conducted a supplementary feeding programme to moderately malnourished children under 5 years of age, and to pregnant and lactating women in all camps, distributing two new food products, the introduction of which was preceded and accompanied by education campaigns to ensure their acceptance and effective use. UNHCR funded the training of 113 refugee health and nutritional personnel on nutritional programme management, monitoring, evaluation and better reporting.

69. UNHCR also provided support to the nursing school in the refugee camps, conducting training courses for nurses and midwives and supplying products and teaching aids. A total of 13 students graduated in 2012, bringing the total number of graduates since 1992 to 84. UNICEF reinforced its Expanded Programme on Immunization, with the introduction of a new vaccine, capacity-building for health personnel and midwives and cold chain maintenance.

70. UNHCR continued to provide support to a number of vocational centres for women, young people and persons with disabilities during the reporting period. It provided supplies to schools in the camps, rehabilitated a school in the Smara camp and trained teachers in curriculum development and pedagogy. Since 2008, 38 students have received UNHCR scholarships. UNICEF also provided school supplies for the education sector.

71. UNHCR expanded water systems through hydraulic and electrical connection to existing wells and constructed two additional boreholes, bringing the total number of boreholes in the camps to six. Solidaridad International, a Spanish non-governmental organization, installed water systems in all the camps with funding from the Directorate General for Humanitarian Aid and Civil Protection and UNHCR.

72. Pursuant to the recommendation contained in my report of 5 April 2012 (S/2012/197, para. 63), and to Security Council resolution 2044 (2012), in which the Council requested UNHCR to maintain its consideration of a refugee registration in the refugee camps, in line with its mandate and principles, UNHCR continued its dialogue with Algeria, the host country.

G. Confidence-building measures

73. With the cooperation of Morocco and Frente Polisario, UNHCR continued to implement the confidence-building measures programme to facilitate contact and communication between Saharan refugees in the camps near Tindouf and their families in the Territory. MINURSO supported the programme by providing medical staff and police officers to facilitate preparations and serve as escorts. Family visits and cultural seminars remain the two fundamental components of the updated plan of action for confidence-building measures, as agreed with the parties in February 2013.

74. Between 2004 and the end of 2012, the total number of persons registered for the family visit programme in the camps near Tindouf and in the Territory was 48,252. Of this number, 16,889 persons (58 per cent females and 42 per cent males) have benefited from the family visit programme.

75. From 2 to 6 July 2012 and 2 to 8 February 2013, UNHCR organized two seminars in the Azores and Faro, Portugal, on the role of women and the importance of the tent (*al-khaima*) in the culture of Western Sahara. The seminars were each attended by 33 participants from the Territory and 33 from the refugee camps near Tindouf.

76. Following engagement with the parties, UNHCR chaired two meetings in Geneva in 2012 to review the confidence-building measures programme. The participants included representatives of the two parties, Morocco and Frente Polisario, and the two neighbouring States, Algeria and Mauritania. Participants reaffirmed the importance of the programme and the need to find ways and means to maximize the links between families who had been divided for 38 years because of the conflict. The parties expressed their commitment to cooperating fully with UNHCR in implementing confidence-building activities in accordance with its mandate and principles and to preserving the humanitarian character of the confidence-building measures programme. They also committed themselves to ensuring full and unhindered access by UNHCR to the refugee camps near Tindouf and to beneficiaries in the Territory. The parties and the neighbouring States acknowledged the positive outcome of the cultural seminars and agreed that another seminar should be held in Portugal in agreement with its Government. They also agreed that UNHCR would conduct an evaluation of the entire range of confidence-building measures, including family visits, communications and seminars. UNHCR will dispatch a mission for this purpose in the second quarter of 2013. The next meeting with the parties and the neighbouring States is proposed for the first week of July 2013 in Geneva.

77. With regard to the programme of family visits, the twice-monthly exchange visits remain the most appreciated way of keeping families connected. To increase the number of persons benefiting from the programme, and as agreed at the review meeting in January 2012, UNHCR leased a larger aircraft, which tripled the number of beneficiaries and increased the number of locations for the visits. The Mission's contribution is mainly delivered by its United Nations police component. As noted in my reports since 2006, the police component comprises six police officers who accompany UNHCR colleagues and check each visitor and each host family before the visits take place. They provide an impartial presence at the location of the visit during its duration. With this increase in operations, the Mission requires six United

Nations police officers beyond the currently authorized level. It would be preferable for these officers to be women, given that most beneficiaries are women and children.

78. In November 2012, a visitor from the camps to the Territory was the victim of a traffic accident on the road from Laayoune to Smara. The severity of his case required immediate hospitalization in Laayoune. In coordination with UNHCR, the Moroccan authorities evacuated him to Marrakech where he received intensive care and subsequently recovered.

H. Irregular migrants

79. No irregular migrants were recorded in Western Sahara during the reporting period.

I. Human rights

80. During the reporting period, human rights violations affecting Western Sahara in both the Territory and the refugee camps near Tindouf continued to be alleged or reported. With regard to the Territory, they related in particular to violations of the right to a fair trial, torture, cruel, inhuman and degrading treatment, and freedom of expression, association and assembly. In 19 letters, the Secretary-General of Frente Polisario asserted that the Moroccan security forces had committed human rights violations and that international trial standards had been violated. In March 2013, the Government of Morocco sent me three letters on ceasefire violations, the need for a census in the refugee camps and human rights.

81. In relation to the military trial of 25 Saharan civilians (see para. 14), the Moroccan authorities and some international observers acknowledged positively the proceedings and outcome of the trial, which had been open to international and national observers and relatives and supporters of both the victims and the defendants. The Moroccan National Human Rights Council followed the case closely and concluded that the trial had been held in normal conditions and had generally respected procedures. In its preliminary report, it took note of the complaints of torture and ill-treatment that some defendants had made, stating that they would be considered in the final report. In contrast, other local and international non-governmental human rights organizations criticized breaches of international fair trial standards.

82. The Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on torture expressed concern at the use of a military court to try civilians and the failure to investigate allegations of torture and ill-treatment, including sexual violence, during the prisoners' pretrial detention. I share these concerns. The Moroccan authorities informed the High Commissioner that the jurisdiction of the court was legal and complied with the provisions of international law and that fair trial procedures were respected (a public trial, the rights of defence, debates and presumption of innocence) and consistent with international norms and standards.

83. While the accused have appealed against the verdict, it is also of concern that the appeal can be made only to the Court of Cassation, which does not allow for a

complete review of all aspects of the case. In this regard, King Mohammed VI recently endorsed the recommendation of the Moroccan National Human Rights Council that civilians should not be prosecuted in a military court. In addition, on 12 February 2013, the Chamber of Representatives adopted accession legislation for the Optional Protocol to the Convention against Torture. While the creation of the Moroccan National Human Rights Council and its regional offices is a positive development, further support from the Government for the implementation of their recommendations is needed to ensure the ability of the organization to protect human rights and maintain its credibility.

84. The cases of more than 100 Saharans accused of acts of violence in relation to the dismantling of the Gdim Izik camp remained pending before the Laayoune Court of Appeal. Investigations were reportedly continuing while the accused were on provisional release. Local sources noted that, while some of the accused had alleged that they had been tortured or ill-treated. An investigation into those allegations had reportedly not been opened.

85. There were no significant developments in the trial of the seven Saharan activists, including one woman, charged in relation to their visit to the refugee camps near Tindouf in October 2009, as reported in my previous report (S/2012/197, para. 75). At the time of writing of the present report, the trial, which opened in October 2010, was continuing, with the accused remaining on provisional release.

86. Local human rights organizations complained of long-standing difficulties in operating in the Territory. Notably, Saharan human rights organizations claimed that, their efforts in previous years to register as non-governmental organizations notwithstanding, they continued to be denied legal recognition. The Special Rapporteur on the situation of human rights defenders has also expressed concern at alleged restrictions on the right of peaceful assembly and on registration of Saharan non-governmental organizations (see A/HRC/22/47/Add.4).

87. As mentioned above, international organizations and United Nations independent experts were able to visit the Territory. They reported some constraints while conducting their work, however, notably the monitoring by local authorities of meetings and the climate of intimidation that that created for some interlocutors.

88. Local human rights organizations regularly reported beatings of demonstrators by Moroccan security forces, including during the visit of my Personal Envoy. Aminatou Haidar, an activist and head of the Collectif des défenseurs sahraouis des droits de l'homme, submitted a complaint to the General Crown Prosecutor on 12 November 2012 regarding her allegations that she had been beaten by security forces and her property attacked. She has yet to receive a response.

89. In relation to the work of international human rights mechanisms, the Moroccan authorities have facilitated the access of United Nations special procedures mandate holders to the Territory when requested to do so in the context of visits to Morocco. It should be noted that special procedures mandate holders engage with one Government at a time. Accordingly, previous visits have not included missions to the refugee camps near Tindouf in Algeria. Furthermore, thematic mandate holders are not a mechanism intended or able to provide continuous monitoring of and reporting on the overall human rights situation in any geographical region, including Western Sahara and the camps near Tindouf.

90. The Special Rapporteur on torture visited Laayoune in September 2012 for two days and focused on his specific mandate. On 4 March 2013, he presented his report to the Human Rights Council (A/HRC/22/53/Add.2). He concluded that, in the case of Western Sahara, there was a pattern of excessive use of force during demonstrations, including kidnapping and abandonment in the desert, and of torture and ill-treatment by police officers and security personnel of alleged or known supporters of the independence of Western Sahara both outside and inside detention centres. He further noted that many individuals had been coerced to confess and sentenced to prison on the basis of such confessions.

91. He recommended that the Government of Morocco should promptly conduct impartial and independent investigations of allegations of torture, hold perpetrators accountable, provide compensation to victims, reconsider the jurisdiction of military courts over civilians and further strengthen protection for internationally recognized human rights. He also assessed that the entire region would benefit from a robust regional intergovernmental human rights monitoring mechanism as an important confidence-building measure that could help to improve the situation with regard to human rights observance.

92. In September 2012, the Human Rights Council adopted the outcome of the universal periodic review of Morocco, including five recommendations relating to the human rights situation in Western Sahara. Three recommendations pertaining to the protection of human rights defenders, including granting official accreditation to human rights organizations, the implementation of independent and credible measures to ensure full respect for human rights, freedom of association and expression and the protection of human rights in the light of reported cases of abuses by Moroccan security forces, enjoyed the support of the Government of Morocco, which considered that those recommendations had already been implemented or were being implemented.

93. The recommendation to ensure that the procedures governing registration of civil society organizations, including organizations advocating the right to self-determination of the people of Western Sahara, are in conformity with international standards, did not enjoy the support of Morocco. Morocco also rejected the recommendation that it should accept the establishment of a permanent human rights component in MINURSO, arguing that it did not fall within the scope of the mandate of the Human Rights Council.

94. With regard to Moroccan national institutions, the work of the Moroccan National Human Rights Council in the Territory was a positive step that enabled it to gain closer proximity to Saharan victims of human rights violations and to human rights issues specific to the Territory. The Special Rapporteur on torture acknowledged and encouraged that positive development, while noting that the Council should not be considered to be a substitute for a functioning complaint system regarding allegations of torture and ill-treatment. The Council's offices in the Territory carry out a range of activities, including trial observations, prison visits and human rights training. They have on several occasions informed MINURSO of their activities in the promotion of human rights and of the challenges that they face. MINURSO political affairs officers twice attended human rights seminars in Laayoune, at the invitation of the Council and as observers.

95. As mentioned above, the Moroccan Economic, Social and Environmental Council developed what it termed a "regional development model for the southern

provinces" to "allow the local population to fully enjoy human rights in their economic, social and cultural dimension" and "prepare ... the way for the success of the Moroccan autonomy initiative, once negotiated in the United Nations framework". One of the six areas for action will be "ensuring access to basic rights and services and promoting social well-being", while an indicator of success will be respect for human rights.

96. Information regarding the human rights situation in the refugee camps near Tindouf remains limited. In recent years, allegations of violations have been reported, notably violations of the rights to freedom of expression and movement. In a speech delivered on 6 November 2012, King Mohammed VI called upon the international community "to endeavour to put an end to the suffering endured by our citizens in Tindouf, on Algerian soil, where some of the most hideous forms of repression, oppression, despair and deprivation prevail, in gross violation of the most basic human rights". In September 2012, Frente Polisario expressed its readiness to cooperate with United Nations human rights bodies, including in the refugee camps and the Territory.

97. From 24 to 28 September 2012, the African Commission on Human and Peoples' Rights undertook a fact-finding mission, sanctioned by the Assembly of the African Union, to evaluate human rights in the Territory and the refugee camps near Tindouf. The Moroccan authorities did not respond to the mission's request to visit the Territory, but its members did visit the refugee camps. In a press release, they cited information relating to alleged violations committed in the Territory, but provided no information on alleged violations in the camps. At the time of writing, the mission report, although scheduled to be submitted to the Assembly of the African Union in January 2013, was not publicly available.

V. African Union

98. MINURSO continued its cooperation with the observer delegation of the African Union, led by its Senior Representative, Yilma Tadesse (Ethiopia). I wish to reiterate my appreciation to the African Union for its contribution to the continuing negotiating process. MINURSO continued to support the African Union delegation in Laayoune with logistical and administrative assistance drawn from its existing resources.

99. At the twentieth ordinary session of the summit of the African Union, in January 2013, the Executive Council requested the African Union Commission to take all measures necessary for the organization of a referendum for self-determination of the people of Western Sahara in compliance with the relevant Organization of African Unity decisions and United Nations resolutions.

VI. Financial aspects

100. The General Assembly, by its resolution 66/278, appropriated the amount of $58.3 million for the maintenance of MINURSO for the period from 1 July 2012 to 30 June 2013. Should the Security Council approve my recommendations on the extension of the mandate of MINURSO and the increase in authorized strength, the cost of maintaining the Mission until 30 June 2013 would be limited to the amounts

approved by the Assembly. The proposed budget for MINURSO for the period from 1 July 2013 to 30 June 2014 in the amount of $58.4 million (exclusive of budgeted voluntary contributions in kind), based on the current authorized strength for MINURSO, has been submitted to the Assembly for consideration during the second part of its resumed sixty-seventh session. Should the Council approve my recommendations on the extension of the mandate of MINURSO and the increase in authorized strength, I will advise the Advisory Committee on Administrative and Budgetary Questions and the Assembly as necessary.

101. As at 18 March 2013, unpaid assessed contributions to the Special Account for MINURSO amounted to $47.8 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,380.2 million.

102. As at 18 March 2013, amounts owed to troop contributors totalled $900,000. Reimbursement of troop and contingent-owned equipment costs has been made for the period up to February 2011 and October 2010, respectively, owing to the insufficiency of cash in the special account of the Mission.

VII. Challenges to the Mission's operations

103. In its resolution 2044 (2012), in which it renewed the mandate of MINURSO until 30 April 2013, the Security Council requested that, in my next report, I should examine the existing challenges to the Mission's operations and steps taken to address them. In my report of April 2012 to the Council (S/2012/197), I described the challenges as falling into three categories: those relating to the mandate, those relating to military and substantive civilian activities and those relating to the security conditions.

104. There has been no change in the challenges that MINURSO is facing with regard to its mandate and the differing interpretations of the mandate by the parties. With the mandate — unchanged since 1991 — and the reality — for example, the complete suspension of referendum activities in 2003 — diverging significantly, the parties have developed significantly different interpretations of the mandate. Morocco defines MINURSO as a mainly military peacekeeping operation active for the most part along the berm, while Frente Polisario expects MINURSO to monitor the welfare and human rights of the population throughout the Territory. These differing views continued to define the operational environment and resulted in frustration and criticism from both sides. One side asserts that MINURSO is seeking to do too much, the other that it is doing too little.

105. Challenges relating to the security situation in the Mission's area of responsibility have also not decreased during the reporting period. The security of MINURSO personnel is a growing concern. Continuing military operations in northern Mali can threaten the peripheries of areas east of the berm in the long term. During meetings with MINURSO, Frente Polisario commanders have not ruled out terrorist infiltrations. Possible armed infiltrations, gaps in regional security coordination and resource shortages for effective border controls expose military observers to risk. This was the reason for the suspension of MINURSO night patrols east of the berm, which have not resumed. In addition, all patrols towards the Mauritanian border are escorted by Frente Polisario troops. On both sides of the berm, the need to take precautionary measures includes the need for the parties to take increased measures to protect the team sites and during certain patrols and

movements. Every such security measure, while necessary, implies giving the parties a degree of monitoring and control over the freedom of movement of the MINURSO military observers.

106. The Mission's monitoring and reporting of violations of military agreement No. 1 continue to suffer from challenges reflecting a general absence of precise ceasefire terms and the Mission's lack of authority to prevent or rectify non-compliance. The Mission's efforts to clarify to the parties its reading of the text notwithstanding, varying interpretations of the agreement continue on the basis of differing readings of its specific provisions. To date, the resulting violations have not jeopardized the ceasefire, but have led to a gradual erosion of the authority of MINURSO and, therefore, of the standing that it enjoys in its area of responsibility. Morocco has suggested some specific changes to military agreement No. 1 and Frente Polisario has also indicated that it views some provisions as being in need of review. To date, however, the proposals of the two parties are incompatible. MINURSO will continue to seek common ground for mutually agreed revisions of the agreement.

107. The substantive civilian activities of MINURSO likewise remain challenged by the differing interpretations of the mandate, with Frente Polisario calling for a literal application of the phrase "free interaction with all interlocutors" in the most recent resolution of the Security Council and Morocco calling for a more limited understanding on the basis of its view of MINURSO as a mainly military peacekeeping operation primarily concerned with the ceasefire. The Mission's meetings with interlocutors and political reporting are conducted within the limits set by the differing understanding of the Mission's nature. MINURSO continues to be guided by the imperative of positive and constructive interaction with the parties and therefore exercises caution in the selection of its interlocutors. While, with the full cooperation of the coordinators of both parties, this has led to a broadening of the range of interlocutors and the scope of the issues being discussed, it is still not a fully satisfactory situation. The Mission remains limited in its ability to provide truly independent reporting on developments to the Council and the Secretariat.

108. The situation with regard to the issues of Moroccan flags and number plates, with its negative effects on perceptions of the Mission's neutrality, continues as described in my previous report. The United Nations position on these questions has been repeatedly brought to the attention of the Moroccan authorities, including by the Under-Secretary-General for Peacekeeping Operations and my Personal Envoy. On the number plate issue, the Legal Counsel has also addressed a note verbale to the Permanent Mission of Morocco. Morocco is reviewing the two issues and initiated discussions with my Special Representative in March to find pragmatic solutions in this regard.

VIII. Observations and recommendations

109. Difficulties during the period continued to hinder progress towards a just, lasting, and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara. In 2012, only one round of direct talks was held under my Personal Envoy's mediation. My Envoy also undertook two trips to the region and one tour of the capitals of the Group of Friends on Western Sahara, among other capitals. By the end of the reporting period, the negotiating

process remained at a stalemate because the two parties have refused to move beyond presenting and defending their respective proposals.

110. The Western Sahara conflict has long been a matter of disunity within the international community, but the rise of instability and insecurity in and around the Sahel requires an urgent settlement of this long-standing dispute. The persistence of the conflict is a hindrance to greater integration in the Maghreb, which is needed now more than ever. The time has come for the parties to move towards a solution with the encouragement and support of the international community.

111. I urge the parties to engage in genuine negotiations with the assistance of my Personal Envoy. To do so, each party must accept that neither will obtain the totality of its demands, but rather has to engage in a logic of give and take. My Personal Envoy intends to hold bilateral discussions with the parties with the goal of helping them design the contours of an acceptable compromise.

112. The context of the negotiating process has human and political dimensions. My Personal Envoy will continue to encourage further improvement in relations between Morocco and Algeria. The exchange of visits at the ministerial level has already led to greater communication and cooperation but much more remains to be done. I urge the two countries to redouble their efforts so that both can enjoy the benefits that they would gain from improved relations and the opening of their common border in the interest of the region and of the international community as a whole.

113. Representatives of Western Saharan civil society in the Territory, the refugee camps near Tindouf and in the diaspora, particularly women and youth, have expressed a strong interest in much greater direct contact with each other. I believe a people-to-people dialogue could help bridge the gap between Western Saharans, bring their needs and desires more to the fore, and contribute positively to the negotiating environment. One way this could be done would be through a greatly expanded confidence-building measures programme bringing together specific sectors under UNHCR auspices. I encourage the parties to be open to such an initiative and call on Member States to be receptive to calls by UNHCR for further funding in this regard.

114. I would also like to stress the critical importance of addressing the Western Sahara conflict as part of a broader strategy for the Sahel. This conflict is first and foremost a North African conflict. I am convinced that regional integration, particularly through reinforcement of the Arab Maghreb Union, is a key element in overcoming the current instability and reaping important economic, commercial and social benefits. I am hopeful that progress on this front will help enhance trust between the parties and provide a context conducive to a solution for the Western Sahara conflict. As the negotiations move forward, my Personal Envoy will engage with other countries of the region and with regional organizations, including the Arab Maghreb Union and the African Union.

115. The issue of human rights remains important for any resolution of the conflict. The parties continue to hold different opinions on how it is to be addressed. Morocco considers that the activities of the Moroccan National Human Rights Council and its regional offices and their invitation to United Nations special rapporteurs are appropriate and sufficient mechanisms to address human rights issues. According to the Frente Polisario, there is a need for an independent human

rights monitoring mechanism in the Territory, for instance by adding human rights monitoring to the MINURSO mandate.

116. All parties are responsible for ensuring the protection of human rights. I therefore urge them to pay more attention to the issues being raised and promote a culture of human rights. While continuing to encourage the parties to do more to promote and respect human rights, I acknowledge the cooperation of Morocco with the special procedures mandate holders of the Human Rights Council and the open invitation for them to access the Territory. I am encouraged by the recent endorsement by King Mohammed VI of the recommendation of the Moroccan National Human Rights Council that civilians should not be prosecuted in a military court, and I hope implementing legislation will be passed promptly. I also take positive note of the Frente Polisario's expressed readiness to cooperate with United Nations human rights bodies. I urge further international engagement with regard to the situation in Western Sahara and the refugee camps near Tindouf. Given ongoing reports of human rights violations, the need for independent, impartial, comprehensive and sustained monitoring of the human rights situations in both Western Sahara and the camps becomes ever more pressing.

117. Closely related are the demonstrations for social and economic rights that have occurred throughout the reporting period. I acknowledge the efforts by Morocco to improve social conditions in the Territory and, to that end, take note of its preparation of a new regional development strategy for the Territory.

118. While MINURSO continued to ensure compliance with provisions of the ceasefire and perform related tasks critical to the deterrence role of the Mission in order to assure each side of the other's non-aggressive intentions and to resolve issues or tensions when they arise, new challenges now require an equal measure of increased monitoring by MINURSO military observers. As already highlighted, the need for additional military observers is urgent. In view of those new challenges, I reiterate my call to the parties, which has not yet been followed up, to establish direct cooperation and communication through a joint military verification mechanism to discuss allegations of violations and other issues of common interest.

119. With regard to the confidence-building measures programme, the exchange visits remain the most appreciated way of keeping families connected. The expansion of the family-visit programme to triple the number of beneficiaries was particularly welcome. To cope with the increased volume and activities, the Mission still requires six additional United Nations police officers, as indicated in my previous report, whom I intend to deploy at the earliest. I also note the successful inter-Saharan cultural seminars and the parties' commitment to continue constructive cooperation with UNHCR in order to alleviate the divisive effects of the conflict. In view of the vital importance of the programme for the beneficiaries and for my efforts to find a political solution, I strongly urge the donor community to contribute generously to this programme. I would also like to thank Algeria and Mauritania for their support of the confidence-building measures humanitarian programme.

120. I welcome the continued progress made in the clearance of land mines and explosive ordnances of war. The cumulative reduction in mines is commendable. Mine action and sensitization activities have positively contributed to the safety of civilians and United Nations personnel. I commend the constructive discussions held by each party with the United Nations Mine Action Service on the

implementation of international mine action standards on both sides of the berm. I call upon donors to support the efforts towards demining in Western Sahara.

121. MINURSO has helped keep the peace through its effective monitoring of the ceasefire, as well as by reporting on the military activities of both sides and on developments in and affecting its area of responsibility, by conducting demining activities and by providing logistics support to the confidence-building measures programme of UNHCR. Within the constraints in which it operates, MINURSO has maintained its ceasefire monitoring function and its presence on the ground has played an important role in deterring the parties from breaking the ceasefire agreement or resuming hostilities. It has made good progress in demining, clearing vast areas of the Territory, and has effectively facilitated the family visits programme under UNHCR auspices.

122. In addition to its ceasefire monitoring function and as the only significant international presence in the Territory, MINURSO is also responsible for standard peacekeeping functions, such as monitoring, assessing and reporting on local developments affecting or relating to the situation in the Territory, as well as on political and security conditions affecting the negotiating process led by my Personal Envoy. The reporting function of MINURSO, although still limited, is indispensable, including for my Personal Envoy. I hope that the limitations that still exist in this regard can be overcome, building on the progress achieved so far.

123. I believe that, as a guarantor of the stability of the ceasefire and as visible evidence of the international community's commitment to achieving a resolution of the conflict, the presence of MINURSO remains relevant as (a) an instrument of stability in the event that the political stalemate continues; (b) as a mechanism to support implementation of successive Security Council resolutions related to the mandate of MINURSO (United Nations Mission for the Referendum in Western Sahara); and (c) to provide independent information on the conditions on the ground to the Security Council, the Secretariat and the international community. I therefore seek the assistance of the Council in reasserting the mandated role of MINURSO, upholding peacekeeping standards and United Nations neutrality and ensuring that the conditions for the successful operation of the Mission are met. I also call on both parties, Morocco and the Frente Polisario, to cooperate fully with MINURSO in achieving these objectives. In this context, and in the light of the continuing efforts of my Personal Envoy, I recommend that the Council extend the mandate of MINURSO, with a modest increase of 15 military observers and six United Nations police officers to the authorised strength, for a further 12 months, until 30 April 2014.

124. In conclusion, I wish to thank Christopher Ross, my Personal Envoy for Western Sahara, for his repeated engagements with the parties towards a just, lasting and mutually acceptable political solution that will provide for the self-determination of the people of Western Sahara. I also thank my Special Representative in Western Sahara, Wolfgang Weisbrod-Weber, and Major General Abdul Hafiz of Bangladesh for their able and dedicated leadership of MINURSO. Finally, I also thank the men and women of MINURSO for their work in difficult circumstances to fulfil the Mission's mandate.

Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 31 March 2013

Country	*Military observers*[a]	*Troops*[a]	*Civilian police*[b]	*Total*
Argentina	1	–	–	1
Austria	2	–	–	2
Bangladesh	8	20	–	28
Brazil	10	–	–	10
Chad	–	–	1	1
China	10	–	–	10
Croatia	7	–	–	7
Djibouti	2	–	–	2
Egypt	16	–	2	18
El Salvador	1	–	–	1
France	13	–	–	13
Ghana	9	6	–	15
Guinea	1	–	–	1
Honduras	12	–	–	12
Hungary	7	–	–	7
Ireland	3	–	–	3
Italy	5	–	–	5
Jordan	–	–	2	2
Malawi	3	–	–	3
Malaysia	6	–	–	6
Mongolia	46	–	–	6
Nepal	4	–	–	4
Nigeria	5	–	–	5
Pakistan	11	–	–	11
Paraguay	1	–	–	1
Peru	2	–	–	2
Poland	1	–	–	1
Republic of Korea	4	–	–	4
Russian Federation	17	–	–	17
Sri Lanka	3	–	–	3
Togo	1	–	–	1
Yemen	12	–	1	13
Total	**183**	**26**	**6**	**215**[c]

[a] Authorized strength is 231, including the Force Commander.
[b] Authorized strength is 6.
[c] Actual strength on the ground for military and civilian police, including the Force Commander.

United Nations S/2013/221

Security Council

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Report of the Security Council mission to Africa (Ethiopia, the Sudan and Kenya), 19 to 26 May 2011

I. Introduction

1. In his letter dated 18 May 2011 (S/2011/319), the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Ethiopia, the Sudan and Kenya from 19 to 26 May 2011. The mission was composed as follows:

Ambassador Ivan Barbalić (Bosnia and Herzegovina)
Ambassador Maria Luiza Ribeiro Viotti (Brazil)
Counsellor Tian Lin (China)
Ambassador Néstor Osorio (Colombia)
Ambassador Gérard Araud (France)
Ambassador Nelson Messone (Gabon)
Ambassador Peter Wittig (Germany)
Ambassador Hardeep Singh Puri (India)
Ambassador Nawaf Salam (Lebanon)
Ambassador Raff Bukun-Olu Wole Onemola (Nigeria)
Ambassador João Maria Cabral (Portugal)
Ambassador Vitaly Churkin (Russian Federation)
Ambassador Baso Sangqu (South Africa)
Ambassador Mark Lyall Grant (United Kingdom of Great Britain and Northern Ireland)
Ambassador Susan Rice (United States of America)

II. Visit of the Security Council to Ethiopia

A. Meeting with the Prime Minister of Ethiopia, Addis Ababa, 21 May 2011

2. On 21 May, the members of the Security Council met the Prime Minister of Ethiopia, Meles Zenawi. They thanked him for the role that Ethiopia had been playing to help resolve conflicts on the African continent. They discussed with him the relations between Ethiopia and Eritrea and asked him about his views on the situation in Somalia, the Sudan and Libya. The Prime Minister welcomed the

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Security Council and noted that its presence in Africa and in Addis Ababa, in particular, was an honour and a privilege.

Ethiopia-Eritrea relations

3. On Ethiopia-Eritrea relations, the Prime Minister affirmed that his country had accepted unconditionally the decision of the Boundary Commission, which was binding and final. He stressed that the practical implementation of the decision required the cooperation of Eritrea to work out certain challenges and impracticalities on the ground that the decision had generated. He reminded the Council that Cameroon and Nigeria had worked together to implement the decision on the Bakassi peninsula. He stressed that all his attempts to engage in a dialogue with Eritrea had been unsuccessful. He emphasized that the authorities in Eritrea had rejected a number of mediation efforts, including by African Heads of State. He noted that the normalization of relations between Ethiopia and Eritrea was crucial and that the demarcation of the border alone would not lead to sustainable peace.

4. The Prime Minister highlighted the involvement of Eritrea in activities that he said were negatively impacting stability in the Horn of Africa. He denounced the lack of moderation and the refusal of the Eritrean leadership to abide by international law. He also informed the Security Council about alleged terrorists and explosives sent across the border from Eritrea to attack targets in Ethiopia, including in the capital city of Addis Ababa. He indicated that the Ethiopian authorities had to date been successful in apprehending the terrorists and their equipment. He stressed that, for the past 10 years, Ethiopia had deliberately ignored the provocation of Eritrea to avoid war and, instead, focused its resources on the economic development of the country. Currently, faced with the threat of terrorism, Ethiopia felt that it had to defend itself.

5. The Prime Minister urged the members of the Security Council to take further action on Eritrea, including strengthening the implementation of the current arms embargo, which was being violated on a regular basis, and implementing economic sanctions that would affect the ability of Eritrea to fund terrorist groups and other destabilizing forces in the subregion. The Council noted that it had recently discussed ways of ensuring that the sanctions imposed on Eritrea were respected and that it remained seized of the issue.

6. With regard to Somalia, the Prime Minister was of the view that Al-Shabaab was losing political and military momentum. He said that people living in areas under the control of the terrorist group had been alienated by its behaviour, which was contrary to the culture of the Somali people and the practices of Islam. He also noted that the Transitional Federal Government had begun to establish some limited social services in the areas that it controlled. On the security front, he said that the attacks by Al-Shabaab on the African Union Mission in Somalia (AMISOM) during the month of Ramadan had had a reverse effect and that the terrorists had been severely punished. He also said that the strong military posture along the border of Kenya and Ethiopia had contributed to the weakening of Al-Shabaab.

7. The Prime Minister warned that the group had not yet been defeated. He underscored the need for the transitional federal institutions to rapidly overcome the bickering in order to take full advantage of the current momentum. He shared the view that the international community was doing the right thing but needed to do more to support AMISOM, in particular. He further urged the Council to deploy

more efforts to address the issue of piracy, especially in Puntland, where the phenomenon was evolving at a fast pace.

8. With regard to the Sudan, the Prime Minister told the members of the Security Council that he supported the vision of two viable States laid out by the African Union High-level Implementation Panel and shared the view that the fate of both the North and the South were interlinked; they would either succeed or fail together. He highlighted three major challenges that needed to be dealt with urgently: the presence of the Sudan People's Liberation Movement-North contingent in Southern Kordofan and Blue Nile States, the issue of Abyei and the boundaries. All could become flashpoints once Southern Sudan gained independence on 9 July 2011.

9. The Prime Minister asked the Security Council to actively support the concept of two viable States and the efforts of the African Union High-level Implementation Panel in order to speed up the negotiations on outstanding Comprehensive Peace Agreement issues and post-secession arrangements. He expressed the view that some of the issues being discussed would not be resolved by 9 July and suggested that the Council should consider temporary arrangements that would ensure a soft landing and allow for negotiations to continue beyond independence. In response to an enquiry by the Council members as to whether Ethiopia would be ready to deploy troops in Abyei, the Prime Minister said that such a request would be considered positively if it emanated from both parties. He further suggested that, given the sensitivity of the security situation in that area, particular arrangements with the United Nations to facilitate the mobility of troops and avoid unnecessary bureaucratic constraints would be needed.

10. On Libya, the Prime Minister shared his personal views with the members of the Security Council. He emphasized, among other things, the need for a negotiated solution in Libya with a verified ceasefire. He noted that the views of the Libyan people should be taken into account before deciding who should be allowed to take part in the transition. He criticized the timing of the actions taken by the International Criminal Court, which, he said, could complicate the search for peace in Libya.

B. Meeting with the Peace and Security Council of the African Union, Addis Ababa, 21 May 2011

11. On 21 May, the Security Council and the Peace and Security Council of the African Union held their fifth consultative meeting, at the headquarters of the African Union in Addis Ababa. They discussed the situation in Libya, Côte d'Ivoire, Somalia and the Sudan, as well as means of strengthening working methods and cooperation between the two organizations. The members of the Peace and Security Council urged increased cooperation between the African Union and the Security Council in the resolution of conflicts on the African continent. They commended the exemplary cooperation between the United Nations and the African Union on Somalia and Côte d'Ivoire and encouraged similar working relations in addressing the other crises in Africa, such as in Libya.

Crisis in Libya

12. The members of the Peace and Security Council expressed the view that there could be only a political solution to the crisis in Libya. They said that they wanted more consideration to be given to the African Union road map for Libya, which proposed an immediate ceasefire, the provision of humanitarian assistance to the Libyan population, the establishment of a transition period and the holding of national elections. They sought a pause in air strikes by the North Atlantic Treaty Organization to allow political negotiations to begin between the parties. They further argued that it was up to the Libyan people to decide who should take part in the transition and called for the territorial integrity of the country to be respected.

13. The Peace and Security Council expressed deep concern about the possible consequences that a lasting crisis in Libya would have on the continent, arguing that it had already led to the dissemination of large numbers of weapons that could be used to destabilize countries and reinforce terrorist organizations in the Sahel. The Peace and Security Council noted that its perceptions and positions were not that far apart from those of the Security Council and that it was important to bridge the differences and work together in determining the way forward in Libya.

14. The members of the Security Council noted that resolution 1973 (2011) had been passed at the request of the League of Arab States. The mission described the intervention in Libya as necessary to protect civilians from a massacre announced by the Libyan leader himself. The members of the Council also agreed on the need to resolve the conflict politically. In that regard, the Council highlighted that there were several peace initiatives that had been put forward, including by the African Union, Turkey and Qatar, which should all be coordinated and integrated by the Special Envoy to Libya, Abdel-Elah Mohamed Al-Khatib. They emphasized the importance of creating conditions for all parties to accept a ceasefire. If the parties agreed to a mutual ceasefire, the international community would support it and North Atlantic Treaty Organization air strikes would also stop. The Council believed that it was high time to put the divisions behind with a view to reaching a political solution to the crisis in Libya.

Post-electoral crisis in Côte d'Ivoire

15. With regard to Côte d'Ivoire, the members of the Security Council praised the exemplary partnership between the United Nations, the African Union and the Economic Community of West African States in addressing the post-electoral crisis. They welcomed the inauguration of the new President, urged all illegal armed groups to disarm and called for the total reunification of the country. The Council further welcomed the decision of the President of Côte d'Ivoire to investigate and bring to justice those responsible for crimes and human rights violations committed during the crisis. The mission also appealed to the Ivorian authorities to build a democratic and economically viable State.

16. The Peace and Security Council praised the excellent cooperation with the Security Council and noted that there was consensus on how to move forward in Côte d'Ivoire. It further emphasized the need to improve the security climate, relaunch economic activities, redeploy the State administration to the north, reform key institutions and undertake a national reconciliation process.

Situation in Somalia

17. Regarding Somalia, the Peace and Security Council considered that, despite the political challenges, AMISOM was making important progress in Mogadishu and noted that about 2 million people lived in the areas that it controlled jointly with pro-Government forces. The Peace and Security Council appealed to the Security Council to provide greater financial and logistical assistance to AMISOM and to approve an increase in the current level of troops to 20,000. It also echoed calls for a naval blockade of Kismayo, in particular, and a no-fly zone over Somalia. In addition, it expressed serious concerns over the dire humanitarian situation in Somalia.

18. The members of the Security Council informed the Peace and Security Council that they were extensively discussing Somalia. They shared the deep concerns of the Peace and Security Council at the continued instability in the country and expressed full support for the work of AMISOM. They urged the transitional federal institutions to end political disputes and focus on building institutions and delivering services to the Somali people. They also lamented the deteriorating humanitarian situation, while strongly condemning attacks targeting humanitarian assistance. The Security Council noted that the growing instability in Somalia was contributing to piracy activities and proposed to strengthen the role of the United Nations Political Office for Somalia (UNPOS) as the focal point for piracy.

Situation in the Sudan

19. On the Sudan, the Security Council and the Peace and Security Council commended the successful conduct of the referendum on the self-determination of Southern Sudan in January 2011 and called for the full implementation of the Comprehensive Peace Agreement. They also expressed support for the emergence of two viable States living in peace side by side and urged the parties to reach agreement on outstanding Agreement issues and post-referendum arrangements. They emphasized the importance of conducting and implementing the outcome of the popular consultations in an inclusive and timely manner. Furthermore, they condemned the violence in Abyei and appealed for a political resolution of the conflict, as well as for an agreement on the final status of Abyei. They also conveyed concern over internal conflicts in Southern Sudan between the Government of Southern Sudan and armed groups.

20. The Security Council and the Peace and Security Council also condemned the high level of insecurity and violence in Darfur, called for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to fully implement its mandate and reiterated their support for the joint African Union-United Nations peace process in Doha. Regarding the Darfur political process, the Security Council insisted on the need to have enabling conditions in place before any negotiations could take place in Darfur. It called upon the Government of the Sudan and the armed movements to contribute to the creation of the necessary enabling environment for the Darfur political process, including political and civil rights of participants such that they could exercise their views without fear of retribution; freedom of speech and assembly, to allow for open consultations; freedom of movement of participants and UNAMID; proportional participation among Darfurians; freedom from harassment, arbitrary arrest and intimidation; and freedom from interference by the Government or armed movements.

Strengthening working methods and cooperation between the United Nations and the African Union

21. The Security Council and the Peace and Security Council agreed to continue to enhance their cooperation in the area of peace and security in Africa. In that regard, they welcomed the establishment of the United Nations Office to the African Union, through which regular exchanges of information could take place. The Peace and Security Council reiterated its call for a more predictable, sustained and flexible financial mechanism in support of regional peacekeeping operations authorized by the United Nations. The Security Council and the Peace and Security Council looked forward to the respective reports of the Secretary-General and the Chairperson of the African Union Commission on the reinforcement of the partnership between the United Nations and the African Union. Following the fifth consultative meeting, a joint communiqué was issued.

III. Visit of the Security Council to the Sudan

A. Visit to Mayo camp, Khartoum, 22 May 2011

22. Some Council members visited Mayo camp and had the opportunity to meet Southerners living in the camp. The residents expressed concern about the uncertainty of future citizenship arrangements after 9 July and what that would mean for their own status, e.g. ability to work, live and have access to health services and education. They expressed appreciation for the visit of the Council members to their camp.

B. Meeting with the Government of the Sudan, Khartoum, 22 May 2011

23. Accompanied by the Special Representative of the Secretary-General for the Sudan, Haile Menkerios, the Security Council met government ministers and advisers, including the State Minister at the Presidency, Amin Hassan Omer, the National Congress Party official in charge of the Abyei file, Didiri Mohamed Ahmed, the State Minister at the Presidency, Idriss Abdul Gadir, the official in charge of the Darfur file, Omer Dahab, and the Permanent Representative of the Sudan to the United Nations, Daffa-Alla Elhag Ali Osman. The Council delegation was informed that the Minister for Foreign Affairs, Ali Karti, would not attend owing to illness. The State Minister at the Presidency, Amin Hassan Omer, led the meeting. He began by saying that the Government would have liked to receive the Council in a more conducive environment, pointing to the recent crisis between the two parties in Abyei. The ministers and advisers present all reassured the Council that the Government was keen to conclude the Comprehensive Peace Agreement cordially and that efforts had been made, under the guidance of the Chair of the African Union High-level Implementation Panel and former President of South Africa, Thabo Mbeki, to advance on negotiations on post-9 July arrangements. Separately, the Council had previously confirmed a meeting with the Vice-President, Ali Othman Taha, but was told that the meeting would not take place.

24. On Abyei, Didiri Mohamed Ahmed gave an overview of the history of Abyei. On current events, he said that, following the attack on 19 May by Southern forces

on a United Nations Mission in the Sudan (UNMIS)-Joint Integrated Unit convoy, the Sudanese armed forces had reacted by taking control of the Abyei Area. He asserted that UNMIS had an important role to play in the resolution of the crisis and offered to meet UNMIS and others to secure the area and prevent the return of forces pursuant to the Kadugli agreement. He insisted that the National Congress Party was committed to the Abyei Protocol and would continue engaging with the Sudan People's Liberation Movement (SPLM) under the auspices of the African Union High-level Implementation Panel until a final status for Abyei was agreed upon. The United States and the Russian Federation, who led the Security Council delegation in the Sudan, expressed grave concern with regard to the situation in Abyei and urged the resumption of negotiations to find a resolution to the crisis. The Special Representative of the Secretary-General noted that recent events represented a regression of the progress made through the Kadugli agreement. Both sides needed to discuss new security arrangements for Abyei so that they could withdraw forces. One option was for a stronger role for joint integrated units and UNMIS. When pressed by Council members, Didiri Mohamed Ahmed was unclear about when the Sudanese armed forces would withdraw, but said that a new joint integrated unit needed to be assembled.

25. On Darfur, Mr. Dahab provided a briefing on developments in Doha, the challenges of engaging with the Justice and Equality Movement and the forthcoming All Darfur Stakeholders Conference from 27 to 31 May. He spoke about the next steps for a new Darfur peace process, including consultations to be conducted in Darfur with a wide range of groups. The United States expressed concern about the level of violence in Darfur, aerial bombardment by the Sudanese armed forces, casualties, displacement and restrictions on humanitarian access and UNAMID freedom of movement. The United Kingdom underscored the need to create an enabling environment for the Darfur peace process, noting the joint Peace and Security Council-Security Council communiqué issued on 19 May, which set out various necessary preconditions, including freedom of speech and movement and freedom from harassment. The Russian Federation, the United States and the United Kingdom pressed strongly on resolving the backlog of visas for UNAMID personnel but received contradictory responses, with Mr. Omer first claiming that 1,000 visas had been issued since February and, then, in the face of statistics gleaned from UNAMID, conceding that the Ministry of Foreign Affairs would discuss the matter with UNAMID to find a solution.

26. On post-9 July negotiations, the State Minister at the Presidency, Idriss Abdul Gadir, provided a briefing on the economic negotiations that were held the preceding weekend, noting that they were moving forward. He then asserted, however, that SPLM was refusing to negotiate transitional financial arrangements on oil revenue after 9 July. He lobbied on sanctions against the Sudan, debt and the inclusion of the Sudan on the State-sponsored terrorism list, which, he insisted, were based on a political agenda.

C. Briefing by the Joint African Union-United Nations Special Representative for Darfur, Khartoum, 22 May 2011

27. The Joint African Union-United Nations Special Representative for Darfur, Ibrahim Gambari, gave a briefing on political developments in Darfur, the forthcoming Darfur peace process consultations, the security situation and

humanitarian access. On the security situation, the Government of the Sudan had moved to seek to prevent the consolidation of the presence of the Sudan Liberation Army faction led by Minni Minawi and the Justice and Equality Movement in Northern Darfur by reinforcing its positions and through aerial bombardments. The Government had also deployed troops along the Libyan border to prevent the flow of arms and dissidents. The agreement between the Minni Minawi and Abdul Wahid factions of the Sudan Liberation Army for joint actions against the Government would pose further challenges to the security environment in Darfur. The UNAMID Force Commander and the Office for the Coordination of Humanitarian Affairs supplemented the briefing. A statement on the planned conclusion of the Doha process was read out on behalf of the United Nations-African Union Joint Chief Mediator, Djibril Yipènè Bassolé, who was unable to attend. UNAMID efforts to support humanitarian access through Operation Spring Basket were discussed.

D. Meeting with the Chair of the African Union High-level Implementation Panel, Khartoum, 22 May 2011

28. The Chair of the African Union High-level Implementation Panel, Thabo Mbeki, provided a briefing on Abyei, following his meeting with the President of the Sudan, Omer Hassan A. Al-Bashir, the same day. His aim was to de-escalate the situation as a precursor to finding a permanent solution before 9 July. The Panel had previously presented a document with six options, but the parties could not agree, leading the Panel to further refine a proposal that would be presented to the Presidency. He then gave a comprehensive overview of the negotiations on post-9 July arrangements.

29. On economic issues, he said that the North would take on the external $39 billion debt as the continuing State. The South would have a new currency with a transition period, but the parties still needed to work out the redemption of the Sudanese pound from the South. He said that transitional financial arrangements to ease the economic shock in the North from lost oil revenues under the current revenue-sharing arrangements were under discussion. Both parties agreed on a soft border, but details still had to be concluded. On security, some kind of demilitarized zone would need to be agreed upon, with the possibility of a third-party presence, such as the United Nations. The other main issue was the future of SPLA members from Blue Nile and Southern Kordofan. On citizenship, both parties agreed in principle to prevent statelessness and displacement. The working groups on those issues had gone as far as they could and the matters were being elevated to a more senior group that would convene from 6 June to finalize all the issues with the aim of reaching agreement by the end of June.

30. On Darfur, he spoke about the Panel's involvement in the Darfur peace process and the planned consultations. In his view, the future status of Darfur would be better addressed through the consultations than through a referendum. More broadly, the outcome of the Darfur peace process and the popular consultations in the two areas would shape the future of Northern Sudan.

E. Meeting with the Misseriya elders, Khartoum, 22 May 2011

31. The Misseriya gave a history of Abyei, asserting that they had not been consulted by the Permanent Court of Arbitration prior to the ruling and that as the original inhabitants of the area the issue was one of human rights rather than of herding rights. The Abyei problem had become one between the National Congress Party and SPLM and had moved beyond traditional dispute mechanisms.

F. Press statement

32. On 22 May, the Security Council issued a press statement on Abyei in which it condemned the escalatory military operations undertaken by the Sudanese armed forces and their taking control of the area in and around Abyei town and the attack of 19 May by Southern forces against an UNMIS convoy in Abyei. It called upon the Government of the Sudan to halt its military operations and to withdraw immediately from Abyei town and its environs.

G. Visit to Wau, 23 May 2011

33. Owing to fighting in Abyei, the Council could not visit the Area and rerouted to Wau, where Council members visited a maternity and childcare health centre and had the opportunity to see the services provided and the challenges encountered by the staff dealing with child health issues. The tour was followed by a conversation with members of civil society in Wau and medical students attached to the centre. The participants expressed concern about the situation in Abyei and the displacement effect on places such as Wau. As residents of a border state, they were concerned about security. They also spoke about the need for agricultural development in Southern Sudan and provision of basic services such as health and education.

34. The Council met Dinka chiefs from Abyei, including the recently dismissed Abyei Chief Administrator, Deng Arop. Tribal leaders gave a historical overview of Abyei and security challenges, indicating the need to implement the Abyei Protocol and the ruling of the Permanent Court of Arbitration. One chief compared the current situation in Abyei to Darfur and appealed to the Council to step in and rescue them. Relations between the Dinka and the Misseriya had traditionally been based on peaceful coexistence, and the real problem was the Popular Defence Forces and a theory propagated by politicians that grazing rights equalled land rights. Deng Arop stressed the need for self-determination through the Abyei referendum and a viable security mechanism, without which, even if Abyei were to become part of South Sudan, the security problems would persist. France raised the allegations made by the Misseriya that they had not had access to water for the first time in 500 years. In response, Mr. Arop alleged that the Misseriya had sent armed members of the Popular Defence Forces ahead of the cattle and no one had stopped them. He said that they had asked for meetings to govern migration and the Misseriya had refused.

H. Meeting with the President of Southern Sudan and ministers, Juba, 23 May 2011

35. The President of Southern Sudan, Salva Kiir, led the government delegation that briefed the Council, with a majority of the government ministers present. The United States and the Russian Federation congratulated them on the successful conduct of the referendum. Nigeria raised the challenges of independence and the need for inclusiveness, a point also raised by Germany with regard to the Constitution.

36. The President of Southern Sudan recognized that if the North was not stable then there would not be stability in the South. He pointed to the North's recent blockade of the border roads, which had stopped the transit of commodities, including food and fuel. He expressed regret that negotiations on the post-9 July arrangements were not progressing more quickly and lamented the stance taken by the North on issues such as transitional financial arrangements for oil revenue. No independent State could continue to share its oil revenue, and the North needed to be flexible. On Abyei, he gave an overview of the recent history of Abyei and of the events of the past few days. He urged the United Nations to send a clear message that the Sudanese armed forces must withdraw and the Abyei Area Administration be restored. The current United Nations forces could not protect themselves in Abyei, he said, suggesting Ethiopia as a troop contributor for Abyei. He apologized for the attack on the UNMIS-Joint Integrated Unit convoy on 19 May, arguing that no ambush had been laid against the United Nations, that the South had never targeted United Nations personnel or convoys and that the incident had been a mistake.

37. On the future United Nations mission, he requested a separate special representative of the Secretary-General and a new mission in the South by 9 July, with State-building capacity assistance. The Government was working out the details of what they would like from a United Nations mission and would submit them shortly. A minister, Pagan Amum, explained that the Government saw the main tasks as maintaining security on the border, resolving outstanding Comprehensive Peace Agreement issues, such as Abyei, and building capacity in the South. The United States encouraged input on post-UNMIS and Abyei issues as soon as possible. The President concluded by reiterating his Government's commitment to peaceful coexistence and assuring the Council that, as a new State, Southern Sudan would uphold the principles of the Charter of the United Nations, as well as human rights and international principles.

38. On the Constitution, he insisted that it would be an inclusive process. The Minister for Legal Affairs, John Luk, provided more details on the constitution-making process, noting that the Government was conscious that the survival of Southern Sudan depended on uniting people across regions, ethnicity and gender.

I. Visit to Malau, Jonglei State, 24 May 2011

39. Several Council members went to visit the Livestock Protection Unit in Malau, which had been established with training from UNMIS police in addition to bilateral donor support. They saw a mock-up of the Unit in action. The State Minister of Law Enforcement, Gabriel Duop Lam, provided a briefing on the security challenges

faced in Jonglei, such as cattle rustling, child abduction, tribal conflicts and disputes over grazing, water points and land boundaries. He went on to explain about the Unit pilot project, expressing the hope that it could be further extended in Southern Sudan. The Governor of Jonglei State, Kuol Manyang, spoke in similar terms and explained some of the factors that motivated cattle rustling, including the need for dowry payments. He spoke about the instability caused by George Athor and David Yau Yau and the need for investment in agricultural development.

J. Visit to Jebel Kujur way station, 24 May 2011

40. Upon returning to Juba, Council members visited the Jebel Kujur way station, operated by the Office of the United Nations High Commissioner for Refugees (UNHCR), which had reopened in November 2010 to assist with the returns process managed by the Government of Southern Sudan. The station receives vulnerable returnees arriving in Juba via the port and planes. They are transferred with their belongings to the station for registration and verification. Those with means for onward travel are released and those that require onward transport remain. The International Organization for Migration (IOM) conducts formal registration, identifies onward transport needs and provides medical screening. IOM also coordinates transportation convoys to destinations. The Deputy Resident Coordinator and Humanitarian Coordinator and the Mayor of Juba provided a briefing on returns to Southern Sudan and the work of the Southern Sudan Relief and Rehabilitation Commission, UNHCR and IOM. They explained how the way station processed people and transported them to their final destination. More than 2 million people had returned during the Comprehensive Peace Agreement period, with an estimated 300,000 doing so since the end of October 2010. Each of the 10 states of Southern Sudan had a state plan for returns.

K. Briefing by the Special Representative of the Secretary-General on follow-on mission planning, Juba, 24 May 2011

41. Following lunch with members of civil society, the Council was briefed by the Special Representative of the Secretary-General and senior management on follow-on mission planning in Southern Sudan. The meetings started with a discussion on Abyei. The Special Representative explained that the United Nations could not have prevented the takeover of Abyei by the Sudanese armed forces as the Organization was unable to attack advancing troops. Discussion with Council members included the potential deployment of Ethiopian troops under UNMIS and a briefing on the meetings that had been conducted by the Special Representative and former President Mbeki with President Bashir on the issue. The Special Representative also raised the potential role of the United Nations on the border in a facilitation and monitoring role. Both parties accepted that the African Union did not have capacity in that regard. A potential United Nations presence would be further discussed at the next round of post-9 July negotiations, scheduled for 6 June.

42. The Deputy Special Representative of the Secretary-General, Jasbir Singh Lidder, provided a briefing on the future mission planning process in the South. It was based on a technical assessment mission, consultations with the United Nations country team and lessons learned over the past six years. All that pointed to a more

decentralized structure, more assistance for the United Nations country team in support of peacebuilding, more robust military and civil-military cooperation and improved information gathering. He also spoke about the challenges posed by the border zone. The Special Representative stressed that the United Nations country team and UNMIS were already providing many services within their current mandate. The United States noted that the Security Council needed to look at the formation of a new mission as a real opportunity to improve peacekeeping. It should not simply be a handover from one mission to the next without any substantial changes. Several Council members pointed to the lack of input provided by the Governments of the Sudan and Southern Sudan regarding a continued United Nations presence, despite requests from UNMIS and the Council. The Deputy Resident Coordinator and Humanitarian Coordinator provided details on the work of the United Nations country team's 21 agencies, funds and programmes, the scale of donor funding and the development needs. She described the capacity gap within the Government, noting that only 10 per cent of its members had finished high school. In terms of capacity-building, 159 United Nations Volunteers were already embedded in government offices, 200 senior civil servants were in place from the Intergovernmental Authority on Development (IGAD) and a surge capacity of 1,000 from the African Union was due to arrive after 9 July.

IV. Visit of the Security Council to Kenya

A. Briefing by the United Nations Political Office for Somalia, the African Union and the Intergovernmental Authority on Development, Nairobi, 25 May 2011

43. On 25 May, the Security Council met the African Union High Representative for Somalia and former President of Ghana, Jerry Rawlings, the Special Representative of the Secretary-General for Somalia, Augustine Mahiga, the Special Representative of the Chairperson of the African Union Commission, Boubacar Diarra, the representative of IGAD facilitation for Somalia, Patrick Koyi, and the Force Commander of AMISOM, General Nathan Mugisha, to discuss the situation in Somalia. The Special Representative of the Secretary-General explained that, following the presidential statement of 11 May 2011 (S/PRST/2011/10), the Speaker of the Transitional Federal Parliament, Sharif Hassan Sheikh, and the President of the Transitional Federal Government, Sharif Sheikh Ahmed, had met several times but had been unable to agree on the timing of the elections. He mentioned that the Speaker was still insisting on holding presidential elections prior to the end of the transition, while the President was of the opinion that holding elections would disrupt the ongoing political and security gains in Somalia. Both principals maintained that their entrenched positions reflected the will of a majority of Somalis.

44. The Special Representative of the Secretary-General called upon the members of the Council to reinforce their message to the President and the Speaker. He suggested that the parties could explore the possibility of a temporary post-transitional arrangement that would ensure a win-win situation and in which their respective constituencies would continue to share power until elections were held. He further stressed that the international community needed to come up with a road map consisting of benchmarks and timelines for the implementation of the

transitional tasks, including the promotion of national reconciliation and the constitution-making process. The road map should also establish a monitoring and assessment mechanism to ensure compliance by the transitional federal institutions. He suggested that the monitoring mechanism would be effective if there were a collective undertaking by all stakeholders in the international community that compliance by the Somali transitional authorities would be a prerequisite for financial support.

45. He provided a briefing on the security gains achieved by AMISOM, the Transitional Federal Government and allied forces in Mogadishu. He underscored that additional troops had been made available for AMISOM by troop-contributing countries, but were yet to be deployed owing to the lack of predeployment training and support. He sought more assistance for the United Nations country team in order to enable it to address the dire humanitarian situation in the areas controlled by the Transitional Federal Government, explaining that the suffering of people had been exacerbated by the drought, the threats posed by ordnance and delays in the establishment of effective local administrations.

46. The Force Commander informed the Security Council that AMISOM and Transitional Federal Government forces were in control of 60 per cent of Mogadishu. He called for additional support to be provided to the African troops, stressing in particular the need to equip them with air and maritime capacity. He explained that insurgents were pressured by pro-Transitional Federal Government elements in most parts of south-central Somalia and that the insurgents would attempt to defend the port of Kismayo from which they generated most of their resources. He noted that there were increased numbers of defectors among the ranks of Al-Shabaab who needed immediate attention. He lamented the absence of sufficient troops and force enablers on the ground in Somalia. He further requested sustained and predictable funding from the international community, including adequate compensation for contingent-owned equipment. The Special Representative of the Chairperson of the African Union Commission praised the partnership between UNPOS and IGAD, echoed the views of the Force Commander and reiterated the African Union's request for a no-fly zone as well as a maritime blockade on Somalia.

47. The African Union High Representative reinforced the points raised, pointing out that the United Nations, the African Union and IGAD were all on the same page on the need to take full advantage of the positive momentum in Somalia. He called upon the Security Council to put pressure on the leadership of the transitional federal institutions to reach a political agreement on the way forward as soon as possible. He agreed with the importance of putting in place benchmarks and a monitoring mechanism, which would ensure compliance by the transitional federal institutions with the implementation of the transitional tasks.

48. The members of the Council concurred that the dispute between the Speaker and the President had had a negative impact on the ongoing military progress in Somalia. They further agreed on the need to send a clear and strong message to the transitional federal institutions that any extension of their term would be contingent on an agreement on the timing of the elections. The Council asked the Special Representative of the Secretary-General to ensure that the consultative process scheduled in June in Mogadishu would gather an attendance that was representative of the Somali people. The Council concluded the meeting by noting that the shared

views among UNPOS, AMISOM and IGAD were an encouraging sign and that it would be important for the international community to reinforce its unity of purpose and speak with one voice on Somalia.

B. Meeting with the Vice-President of Kenya, Nairobi, 25 May 2011

49. The Vice-President of Kenya, Kalonzo Musyoka, expressed concern that the international community might be feeling a sense of fatigue over Somalia. He urged the Security Council to remain seized of the matter, given that the developments in Somalia could constitute a serious threat to regional and international peace and security, stressing that Al-Shabaab was linked to Al-Qaida. He stated that instability in Somalia was affecting the security and economy of his country, as well as the livelihood of the Kenyan population living in the border areas with Somalia. He explained that Kenya had been forced to deploy more security personnel to secure its border with Somalia and had also to accommodate very large numbers of Somali refugees.

50. He expressed the view that the leadership in Somalia was not yet taking full advantage of the improved security situation. He urged the members of the Security Council to directly engage the President and the Speaker to help break the political deadlock generated by their disagreement over the timing of the elections. He did not think that it was realistic to hold elections in Somalia within the coming two months and suggested a deferral of one year. He called upon the Council to give AMISOM a stronger mandate that would enable it not only to keep the peace but also to enforce it actively. He highlighted the need to impose a no-fly zone and a maritime blockade on the coast of Somalia to prevent Al-Shabaab from receiving weapons and raising resources from the port of Kismayo. He also drew the attention of the Council to the fact that more than 100 alleged pirates were awaiting trial in Kenya, requesting more cooperation and support from the international community. In that regard, he criticized the payment of ransoms to pirates, given that ransoms were used to further fuel piracy.

51. The Vice-President conveyed Kenya's concern over developments in the Sudan. He stressed that particular attention should be given to reaching agreement on a final status for the disputed area of Abyei. He said that current tensions should not constitute a pretext to prevent Southern Sudan from declaring its independence on 9 July.

52. The members of the Security Council showed appreciation for the leadership and actions of the Government of Kenya to help address the problems in Somalia. The Council warned that the Somali leadership would not be allowed to take advantage of the support and the patience of the international community. The mission concurred that progress in Somalia could be seriously undermined by the disagreements between the President and the Speaker and further agreed that a strong message should be sent to both principals on the need to put the interests of the Somali people above all. On the Sudan, the Council agreed that Abyei, as well as other outstanding Comprehensive Peace Agreement issues, should be addressed politically and that the use of force would not resolve the differences.

C. Meeting with the Prime Minister of Kenya, Nairobi, 25 May 2011

53. The Prime Minister of Kenya, Raila Odinga, emphasized the position expressed by the Vice-President. He particularly elaborated on the heavy impact of the movement of refugees into Kenya, calling for UNHCR to help establish a safe haven on the Somali side of the border to receive citizens fleeing the violence in the south-central region of the country. With regard to political developments in Somalia, he said that the conditions did not exist to hold free and fair elections, which explained why Kenya and IGAD were supporting a one-year extension of the mandate of the transitional federal institutions. He said that it was important for the international community to harmonize its position to avoid sending mixed messages. Regarding piracy, he noted that Kenya was one of the few countries that received pirates in its prisons and that the situation was rapidly becoming untenable because of the strain that that was putting on the country's corrections system and economic resources. He suggested that all countries affected by piracy should more equally share the burden, with the support of the international community. He also called for enhanced assistance to AMISOM and underlined the importance of sealing off the port of Kismayo through the imposition of a maritime blockade, so as to interrupt the main sources of revenue of Al-Shabaab.

54. The members of the Security Council mission expressed appreciation for the Prime Minister's insights on Somalia, saying that there was currently an opportunity to make important progress on the peace process. To take full advantage of the positive momentum, the two Somali principals needed to settle their differences immediately. The mission also reiterated that an agreement on elections was a prerequisite for any extension of mandates. The Council expressed support for AMISOM and appreciation for all the sacrifices that it had made for Somalia.

D. Meeting with the President of the Transitional Federal Government of Somalia and the Speaker of the Transitional Federal Parliament, Nairobi, 25 May 2011

55. The Security Council expressed grave concern at the continuing instability in Somalia, stressing the urgent need for a comprehensive strategy to address issues such as terrorism, piracy, hostage-taking and the dire humanitarian situation in the country. The mission conveyed its united support for the Djibouti Agreement and an inclusive peace process. In that regard, the Council strongly urged both principals to participate in the consultative meeting of Somali stakeholders that the Special Representative of the Secretary-General would be facilitating in Mogadishu in June, with a view to reaching a common understanding on post-transitional arrangements. The two politicians were firmly requested to refrain from further unilateral actions and to focus on reaching an agreement on the timing of the elections, without which there would be no extension of mandates. They were also told that future support from the international community would depend on the delivery of tangible results. The Council further expressed disappointment that the improvement in the security situation on the ground had not been met with corresponding political progress.

56. The President of the Transitional Federal Government, Sharif Sheikh Ahmed, said that, while much effort had been devoted to finding a political solution, he had not yet managed to reach a common understanding with the Speaker on

post-transitional arrangements. He concurred with the members of the Council that the security successes on the ground had to be built upon as soon as possible. He denounced the Transitional Federal Parliament's self-extension, which he described as illegal. He spoke in favour of a one-year extension of the transitional federal institutions, assuring the mission that such an extension would allow the Transitional Federal Government to implement outstanding transitional tasks and to consolidate the security gains on the ground. He felt very strongly about the need to reform the Transitional Federal Parliament before the elections could be held, stressing that a parliament of 550 members was not realistic. He agreed that the upcoming Mogadishu consultative process should be as inclusive as possible. The President noted that the security improvements and the actions of the Transitional Federal Government in recent months were winning the hearts and minds of the people in liberated areas and argued that a delay in holding presidential elections was required to maintain the current momentum.

57. The Speaker of the Transitional Federal Parliament, Sharif Hassan Sheikh, insisted that there was no way around fresh presidential elections but justified the self-extension of the Transitional Federal Parliament by invoking article 17 of the Transitional Federal Charter of the Somali Republic. He recalled that that was not the first time that the Transitional Federal Parliament had granted itself an extension. In his opinion, a new parliament could be elected only after the completion of a constitution-making process. As to the Mogadishu consultative conference, he stated that he was not aware of it and that such a conference did not have the consent of the Transitional Federal Parliament. The Special Representative intervened to note that both sides saw the need for, and accepted the principle of, elections, but disagreed on the date and the way to conduct those elections.

58. The Security Council delivered a strong message to the President and Speaker, telling them that the patience of the international community was running thin. The mission made it clear that it was high time for the two leaders to demonstrate genuine commitment to the Somali people and place the interests of the population above personal considerations. If they did not, the international community would consider other options available to them. Both principals were also requested to participate in the upcoming consultative process scheduled in Mogadishu and to seize such an opportunity to play the important and responsible role that was expected of them. The Council then held a private session with the President and the Speaker in which they were strongly requested to come up with an agreement as soon as possible.

E. Meeting with the United Nations country team, Nairobi, 25 May 2011

59. The United Nations Resident Coordinator and Humanitarian Coordinator, Mark Bowden, highlighted the fact that the humanitarian crisis was affecting 3 million people in Somalia, stressing that the situation was critical because of the limited resources currently available to respond to the situation. He pointed out that access to the worst-affected areas under the control of Al-Shabaab had decreased. He also explained that civilians continued to bear the brunt of the conflict, with the highest numbers of civilian casualties, most of whom were women and children, recorded in 2011. While noting progress in the way in which the humanitarian agencies worked with AMISOM, he pointed out that there was more room for

improvement, especially with regard to the rules of engagement. On the positive side, the opportunities for development were increasing, in particular in Somaliland and Puntland. He also said that an estimated $15 million was required to provide immediate support in the areas regained from Al-Shabaab.

60. The United Nations country team asked the mission to press the transitional federal institutions to further focus on the needs of, and the delivery of services to, the Somali people. It underscored that the international community's approach to Somalia should not be limited to humanitarian interventions but should also address recovery and development issues. On the United Nations staff presence in Somalia, the United Nations Resident Coordinator and Humanitarian Coordinator clarified that there were 400 international staff currently working on Somalia, of whom 100 were based inside Somalia and were working together with locally recruited staff. The members of the Security Council stressed the relevance of sending more United Nations staff to Somalia and, specifically, to Mogadishu. The Council expressed the hope that the strong message sent to the Somali leadership would result in a solution to the current impasse. The mission insisted on the need to fully integrate the United Nations efforts and for a comprehensive United Nations strategy addressing political, development and humanitarian issues.

F. Meeting with representatives of regional administrations, Nairobi, 25 May 2011

61. The Security Council met the heads of the regional administrations of Puntland and Galmudug and a representative of Somaliland. All three cited piracy, terrorism, internal displacements and the lack of development activities as common concerns. The representative of Puntland confirmed that piracy was surging and had forced the regional administration to pass legislation in an attempt to curb the phenomenon. Somaliland was considering passing a similar law, while noting that it had arrested and convicted around 90 pirates. All three representatives called upon the Council to pass a resolution asking Member States and private companies to halt the payment of ransoms, which they believed had significantly contributed to fuelling piracy. They called upon the international community to support them in putting in place sea-based and land-based solutions, in particular youth employment and development initiatives that would help tackle piracy.

62. The representatives of the regional administrations also expressed concern at the continued threat of terrorism in their areas and spoke of the cooperation between Al-Shabaab and pirates. They also underscored the burden of internally displaced persons facing both Puntland (about 300,000) and Somaliland (about 200,000), requesting urgent help from the international community. Concerning the end of the transitional period, the representatives of Puntland and Galmudug were in favour of holding presidential elections in August and deferring parliamentary elections for a year. They criticized the Transitional Federal Government in particular for failing to fulfil the transitional tasks. They agreed to participate in the consultative process in June and offered to host it. The representative of Somaliland expressed the hope that the consultative meeting would help further peace in Somalia, but said that Somaliland would not be represented as it was attempting to achieve independence from the greater Somalia. The representative was reminded of the Council's respect for the territorial integrity of Somalia. The members of the Council showed particular interest in the issue of piracy, thanked the regional administrations for the

assistance provided to internally displaced persons and expressed deep concern over the threats of terrorism in Somalia. The mission strongly urged the regional administrations, including Somaliland, to participate in the upcoming consultation process.

G. Meeting with civil society, Nairobi, 25 May 2011

63. The members of the Security Council met a cross section of Somali civil society organizations representing south-central Somalia, Puntland, Somaliland and Nairobi-based organizations. The civil society organizations cited security, including piracy, as their main concern. They said that AMISOM had made significant gains against the insurgency and encouraged the international community to provide the African forces with the necessary resources. They emphasized that efforts to combat piracy would be further successful if they were supported by the Somali coastal population, which they said would happen only if the international community acted firmly against illegal fishing and the dumping of toxic waste in the territorial waters of Somalia and helped to address the issue of youth unemployment.

64. On the ongoing political crisis, they assessed that the only way out was for the President and the Speaker to reach a common agreement on post-transitional arrangements. They stressed that the transitional federal institutions were currently benefiting from a better security environment in which to operate but had failed to seize the opportunity. They felt strongly that the constitutional drafting process should lead to the establishment of permanent institutions. They called upon the international community to help consolidate democracy in Somaliland and Puntland to secure the fragile peace in those areas. They backed the idea of a national reconciliation process held inside Somalia. They highlighted the importance of addressing the dire humanitarian crisis in the country. They also underscored the crucial role of women in Somali society as well as their ongoing efforts to bring peace in the country. They concluded by requesting the Security Council to locate the United Nations office in Somalia, arguing that it was the only way in which the Organization could help resolve their problems.

65. The members of the Security Council shared the concerns raised by the civil society representatives and noted that they had been spending an increased amount of time discussing Somalia. The Council said that it had asked the transitional federal institutions to agree on a date for the elections, failing which there would be no extension of their mandates. The mission also showed support for an increased participation of women in all stages of the peace process and expressed concern about the continued abuse of women and children by the parties to the conflict. They agreed that efforts regarding piracy needed to be better coordinated. The Special Representative of the Secretary-General stated that he had suggested that the Government should improve its outreach to the groups that were not present in Djibouti, among them civil society. Finally, he expressed the view that civil society could help bring reconciliation at the grass-roots level and that he would work in close collaboration with them to reach a solution to the crisis in Somalia.

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General Assembly
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Agenda item 105
Measures to eliminate international terrorism

Security Council
Sixty-eighth year

Identical letters dated 8 April 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I wish to draw your attention to the following information:

At noon today, 8 April 2013, Damascus witnessed yet another act of terrorism. A suicide bomber detonated a car bomb between the quarters of Sab' Bahrat and Shahbandar, in an area that is currently crowded with residents and busy with traffic. Thus far, 15 civilians and passers-by have been reported killed and 53 wounded, in addition to extensive material damage, particularly to the Salim Bukhari school building, the Bu'ayra mosque, civilian homes and passing or parked cars.

This latest terrorist atrocity follows a series of attacks from shells, mortars and indiscriminate weapons that have struck civilian institutions and areas in Damascus city over the last few days. In one particularly horrific crime, armed terrorist groups shelled the Architectural Engineering Faculty of Damascus University, causing 15 deaths and several severe injuries.

The suicide bombings and indiscriminate shelling of civilian areas in Damascus and many other regions of Syria have not spared educational, cultural, media, medical and religious institutions, or even humanitarian initiatives such as homes for orphans and persons with special needs. They illustrate the modus operandi of the armed terrorist groups, which receive substantial material and logistical support from States within and beyond the region, in addition to political backing which drives their contempt for any laws or limits and entrenches their confidence that they will not be held accountable for their actions, given the double standards of certain States in complying with their international counter-terrorism commitments.

Most recently, the resolution adopted by the League of Arab States on 26 March 2013 has encouraged the provision of funds and weapons to the terrorists,

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thereby holding in contempt the international counter-terrorism obligations incumbent on all States. Owing to the hegemony of certain States, that organization has become a means to destabilize the region in violation of Articles 52 and 53 of the Charter of the United Nations.

The Syrian Arab Republic recalls its previous letters to the Secretary-General and the President of the Security Council. If the crisis in Syria is to be resolved through political means and on the basis of a comprehensive national dialogue, in accordance with the consensus of the international community, those States that support, train, arm and shelter armed terrorist groups must first and foremost desist from such practices, which violate their international obligations and the United Nations resolutions on combating and eradicating terrorism. Syria again demands that the Security Council should adopt a clear and resolute position, affirm its determination to combat terrorism and send a definite message to terrorists and their backers that the international community is genuinely committed to combating that scourge wherever and whenever it occurs.

The Syrian Arab Republic reiterates that terrorists and murderers will not deter it from combating terrorism. The Syrian Arab Army will continue to fulfil its constitutional role by defending the nation's territorial integrity, sovereignty and institutions. The Syrian people in its entirety stands alongside it in rejecting the groups' criminal and destructive acts and their extremist ideas.

At the same time, the Syrian Arab Republic will continue to take the necessary genuine steps to implement the political programme put forward by President Bashar Al-Assad in order to resolve the crisis. That programme is based on national dialogue, which is the only way to emerge from the crisis and fulfil the aspirations of the Syrian people.

I should be grateful if this letter could be circulated as a document of the General Assembly, under agenda item 105, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative of the
Syrian Arab Republic to the United Nations

United Nations S/2013/223

Security Council

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Report of the Secretary-General concerning the credentials of the alternate representative of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 4 April 2013 from the Permanent Representative of China to the United Nations stating that Mr. Shen Bo has been appointed alternate representative of China on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

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Agenda item 43
Question of Cyprus

Security Council
Sixty-eighth year

Letter dated 9 April 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 9 April 2013, addressed to you by Mehmet Dânâ, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Levent **Eler**
Deputy Permanent Representative
Chargé d'affaires a.i.

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Annex to the letter dated 9 April 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 11 March 2013 and 5 April 2013, addressed to you by the Greek Cypriot representative in New York and circulated as documents of the General Assembly and of the Security Council (A/67/791-S/2013/157 and A/67/827-S/2013/219), which yet again contain well-known claims of "infringements of international air traffic regulations and violation of the national airspace of the Republic of Cyprus" and to bring to your kind attention the following.

In response to such pretentious allegations, I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full consent and knowledge of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. It must be stated that assertions of so-called violations of air traffic regulations are unfounded, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace.

As noted in our previous letters, such allegations are based on the false and unlawful claim that the sovereignty of the Greek Cypriot administration extends over the whole island, including the territory and national airspace of the Turkish Republic of Northern Cyprus. This pretentious contention by the Greek Cypriot side ignores the realities prevailing on the ground, namely, the existence of two independent, self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

Continuous attempts by the Greek Cypriot side, through often-repeated false claims, to confer legitimacy upon an illegal administration are futile since the Turkish Cypriot people will never give in to their unjust demands. What would indeed be conducive to a better atmosphere on the island would be for the Greek Cypriot side to stop misappropriating for itself the rights and responsibilities it does not legally have, and to cease its hostile and derogatory acts against the Turkish Cypriot people.

Moreover, the Greek Cypriot administration should also be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey, and that its insistent denial of the Turkish Cypriot rights in the North of the island does not bode well for the prospects of finding a lasting settlement of the Cyprus conflict in line with the established United Nations parameters, which envisage a new partnership on the basis of the political equality of the two peoples of the island within the framework of a bi-zonal, bi-communal federation with two Constituent States of equal status.

Availing myself of this opportunity, I would like to put on record, once again, that the Turkish Cypriot side is ready for the earliest commencement of the full-fledged negotiations between the two leaders within the context of a result-oriented process. It is our considered view that if our sincere and constructive approach is reciprocated by the Greek Cypriot side, long-overdue settlement of the Cyprus problem is achievable in the shortest possible time. We hope that the new Greek

Cypriot leadership will show the necessary political will for a fair and durable settlement in Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 43, and of the Security Council.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus